EXPLANATORY MEMORANDUM TO

THE CONTROL OF SALMONELLA IN BROILER FLOCKS ORDER 2009

No. 260

1. This explanatory memorandum has been prepared by Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Purpose of the instrument

2.1 This instrument sets out specific sampling requirements for broiler flocks required by the National Control Programme for Salmonella. The instrument also requires operators of broiler flocks to provide the Secretary of State with certain information relating to those flocks, and imposes record keeping requirements.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Context

4.1 The Order supports monitoring and controls for broiler flocks required in Regulation (EC) No. 2160/2003 of the European Parliament and of the Council on the control of *Salmonella* and other specified food-borne zoonotic agents; and Commission Regulation (EC) No. 646/2007 as regards a Community target for the reduction of prevalence of certain *Salmonella* serotypes in flocks of domestic fowl (*Gallus gallus)* on holdings in the UK producing chickens for meat for human consumption.

5. Territorial Extent and Application

5.1 This instrument applies to England

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- What is being done and why

7.1 Zoonoses are diseases which are transmissible between animals and man. Directive 2003/99/EC of the European Parliament and of the Council on the monitoring of zoonoses and zoonotic agents and Regulation (EC) No. 2160/2003, provide for the protection of human health against zoonoses and zoonotic agents in animals and products of animal origin.

7.2 Commission Decision (EC) No. 646/2007 made under Regulation (EC) No. 2160/2003 sets an annual target to reduce the prevalence of *Salmonella* Enteritidis or *Salmonella* Typhimurium in commercial laying flocks of domestic fowl in the UK. This is a maximum percentage of meat chicken flocks remaining positive for *Salmonella* Enteritidis and *Salmonella* Typhimurium of 1% or less by 31 December 2011. The National Control Programme for broiler flocks sets out the framework of controls described in Regulation 2160/2003 to meet the

target and sampling described in Regulation (EC) No. 646/2007 to verify that the target has been

- Consolidation

7.3 This instrument does not amend another instrument.

8. Consultation outcome

8.1 The consultation on the National Control Programme (NCP) for broiler flocks ran from September to December 2008. Notification about the launch of the consultation was sent to 137 organisations including industry representative bodies, government agencies, consumers groups and retailers. There were a total of 6 respondents to the consultation including industry groups, a government agency, consumer and trading standard groups, and an independent scientific body. Whilst this is low the respondents included the National Farmers Union (NFU) and the British Poultry Council (BPC) who represent companies and individuals responsible for over 90% of UK poultry reared and bred for meat.

All respondents supported the implementation of the NCP. Both BPC and NFU supported implementation option 3 under which responsibility for the management and auditing of the NCP will be shared by government and industry. This is the option which Defra intends to adopt.

All major representative bodies, covering almost all UK production, are invited to attend monthly stakeholder meetings. These will continue as the NCP is implemented.

We believe that most of the major producers appear to be preparing well for implementation. The Zoonoses stakeholder working group has led to general agreement on how government can assist industry prepare for the implementation of the NCP, in particular the new monitoring and controls.

9. Guidance

9.1 Defra has produced a guide to the National Control Programme for broiler flocks. This sets out the main sampling requirements of the NCP enforced by the instrument and will be posted to all eligible farmers. Publicity material and detailed advice on the control of Salmonella in broiler flocks is available on the Defra website.

10. Impact

10.1 The impact on business of the NCP for broilers over the NCP's three year lifespan is likely to be £2.17 million. The average additional cost to a producer with more than 100,000 broilers is likely to be £553 over this period. In the consultation responses we did not receive any comments or queries on the cost estimate to producers from industry.

10.2 The cost to the public sector (ie Defra) over the three year lifespan of the broilers NCP is estimated to be £58,000.

10.3 An Impact Assessment is attached to this memorandum which looks at these costs in detail.

11. Regulating small business

11.1 All eligible farms in the UK will be subject to the requirements of the National Control Programme. Almost all broiler farms could be classified as a small business, as only the largest companies would employ up to 20 full time equivalent employees.

The aim of the options considered in the Impact Assessment was to enable normal business to continue for all firms in the industry while complying with EU law. A key consideration in analysing the options has been recognition of industry achievements in controlling *Salmonella* which supports an approach which will limit the need for government intervention and cost to producers.

As a further measures to minimise impacts on small business it has been decided that in most circumstances the sampling requirements of the NCP will not apply to producers with fewer than 500 birds.

12. Monitoring & review

12.1 The Salmonella testing requirements of the broilers NCP will be subject to review by the EU Commission based on experience gained in the first 12 months. Successful implementation of the NCP in England will mean that producers are achieving the reduction target set for the prevalence of Salmonella Enteritidis and Salmonella Typhimurium by the EU. This will enable Defra officials re-examine (in consultation with industry) the cost-effectiveness of the NCP and if necessary negotiate for revisions to the monitoring and controls.

13. Contact

John Conway at the Department of Environment, Food and Rural Affairs Tel: 020 7238 5922 or email: john.conway@defra.gsi.gov.uk can answer any queries regarding the instrument.

Annex 1

Summary: Intervention & Options		
Department /Agency: Department for Environment, Food and Rural Affairs	**Title:** Impact Assessment of The National Control Programme for broilers	
Stage: Final	**Version:** 1	**Date:** 20/01/09
Related Publications:		

Available to view or download at:
http:/www.defra.gov.uk/corporate/consult/default.asp

Contact for enquiries: Terri Jeffs **Telephone:** 020 7238 6023

What is the problem under consideration? Why is government intervention necessary?

Salmonella is an important zoonotic pathogen that poses a public and animal health risk. Government has a legitimate role in regulating to protect humans from animal health risk and the EU is concerned with ensuing Salmonella National Control Programmes are consistent across member states. To meet EU obligations The National Control Programme for broiler flocks puts in place a *Salmonella* monitoring and control programme for broiler flocks. It complies with EU Regulation 2160/2003 on the control of *Salmonella* and other food-borne agents and EU Regulation 646/2007 for the reduction of the prevalence of S*almonella* Enteritidis and *Salmonella* Typhimurium in broilers. The NCP cannot be implemented and enforced under existing legislation and administration.

What are the policy objectives and the intended effects?

To bring protection for human and animal health into line with EU requirements the NCP sets out monitoring and controls primary producers must follow to reduce or maintain the prevalence of *Salmonellas* of public health significance in flocks of domestic fowl *(Gallus gallus)* on UK holdings producing chickens for meat for human consumption at least to the target levels set out in Regulation 646/2007. This is a maximum percentage of meat chicken flocks remaining positive for *Salmonella* Enteritidis and *Salmonella* Typhimurium to 1% or less by 31 December 2011.

What policy options have been considered? Please justify any preferred option.

Three options were considered: (1) Implement the NCP on a voluntary basis; (2) Management of the NCP under direct govt. control; (3) Management of the NCP to be shared by govt. and industry; (4) Firms to establish own control programmes under the NCP.

Following consultation, option 3 is the recommended option, as this appeared to be the most pragmatic approach in the initial implementation stage of the NCP and left scope to move towards the adoption of option 4 if industry wished once the NCP had been implemented.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects? Government will monitor progress of the NCP. The EU legislation provides for a review after its first year of implementation in December 2009.

Ministerial Sign-off For final proposal/implementation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy and (b) that the benefits justify the costs

Signed by the responsible Minister:

Jane Kennedy ..... Date: 9th February 2009

Summary: Analysis & Evidence

Policy Option: 3	Description: Management of NCP to be shared by govt and industry

COSTS

ANNUAL COSTS		Description and scale of **key monetised costs** by 'main affected groups'
One-off (Transition)	**Yrs**	(i) Cost to industry: cost of salmonella testing [£345k p.a.]; cost of farm visits by Competent Authority (passed on to industry) [£203k p.a.] ; additional admin burden [£199k p.a.]
£ 0	1	(ii) Cost to government: annual cost of CA sampling to calculate overall salmonella prevalence rate [£20k p.a.]
Average Annual Cost (excluding one-off)		**Total Cost** (PV) **£ 2.22 m**
£ 0.767 m	3	

Other **key non-monetised costs** by 'main affected groups'

Nil

BENEFITS

ANNUAL BENEFITS		Description and scale of **key monetised benefits** by 'main affected groups'
One-off	**Yrs**	Nil
£ 0	1	
Average Annual Benefit (excluding one-off)		**Total Benefit** (PV) **£ 0**
£ 0	3	

Other **key non-monetised benefits** by 'main affected groups'

(i) Potential public health benefit from reduced incidence of human salmonellosis cases

(ii) Increased competitiveness of UK chicken exports, due to higher costs of chicken production in EU countries that currently have lower levels of Salmonella testing and control than the UK

Key Assumptions/Sensitivities/Risks Costs and benefits are assessed over a three year time period based on EU target dates

Price Base Year 2008	Time Period Years 3	**Net Benefit Range** (NPV) **£ -2.22 m**	**NET BENEFIT** (NPV Best estimate) **-£2.22 m**

What is the geographic coverage of the policy/option?				UK	
On what date will the policy be implemented?				Feb 1, 2009	
Which organisation(s) will enforce the policy?				AH	
What is the total annual cost of enforcement for these organisations?				£ 20k	
Does enforcement comply with Hampton principles?				Yes	
Will implementation go beyond minimum EU requirements?				No	
What is the value of the proposed offsetting measure per year?				£ N/A	
What is the value of changes in greenhouse gas emissions?				£ Negligible	
Will the proposal have a significant impact on competition?				No	
Annual cost (£-£) per organisation (excluding one-off)	Micro **£0**	Small **£338**	Medium **£378**	Large **£553**	
Are any of these organisations exempt?	Yes/No	Yes/No	N/A	N/A	

Impact on Admin Burdens Baseline (2005 Prices) (Increase - Decrease)

Increase of £214,000 Decrease of £ 0 **Net Impact** **£** 214,000

Key: **Annual costs and benefits: Constant Prices** **(Net) Present Value**

Impact Assessment on the broilers *Salmonella* National Control Programme

1. Introduction

1.1 The National Control Programme (NCP) for broiler flocks sets out the monitoring and controls primary producers must follow to reduce or maintain the prevalence of salmonellas of public health significance in flocks of domestic fowl (*Gallus gallus*) on holdings in the UK producing chickens for meat for human consumption, at least to the target levels set out in Regulation (EC) No 646/2007. This is a maximum percentage of meat chicken flocks remaining positive for *Salmonella* Enteritidis and *Salmonella* Typhimurium of 1% or less by 31st December 2011.

Result of consultation

1.2 The consultation on plans to implement the NCP ran from September to December 2008. Notification about the launch of the consultation was sent to 137 organisations including industry representative bodies, government agencies, consumers groups and retailers. There were a total of 6 respondees to the consultation including industry groups, a government agency, consumer and trading standard groups, and an independent scientific body. Whilst this level of response is low, the respondents included the National Farmers Union (NFU) and the British Poultry Council (BPC) who represent companies and individuals responsible for over 90% of UK poultry reared and bred for meat.

1.3 All respondees supported the implementation of the NCP. Option 2 (for management of the NCP to be under the direct control of government) was the preferred choice of one respondent, the Trading Standards Institute to ensure consistency in implementation; although this organisation believed that there was scope for exploring option 3. Option 4 (for broiler companies to establish their own company control programme as part of the NCP) received partial support from the BPC and the VLA, with the acknowledgement that industry would need time to prepare a company control programme that could be put forward for approval. Both BPC and NFU supported implementation option 3 under which responsibility for the management and auditing of the NCP will be shared by government and industry.

Costs

1.4 Determining precise figures for the costs to industry and benefits to public health of these measures has been difficult. Whilst we can provide a reliable estimate of the total cost of the new sampling requirements and controls to industry from the costs of previous NCPs; it has not been possible to obtain precise figures on the costs of sampling practices required by current farm assurance schemes. When an estimate of these is built into the Impact Assessment we have concluded that that the total additional cost to the broiler industry over the three year lifespan of the NCP is likely to be £2.22m. This indicates that the average additional cost to a producer with more than 100,000 broilers is likely to be £553 over this period. In the consultation responses from industry we did not receive any comments or challenges on the cost estimate to producers.

Chosen option

Option 3: For responsibilities for the management and auditing of the NCP to be shared by government and industry

1.5 After the close of the consultation in December 2008 a meeting was held with industry representatives and colleagues in other government departments at which it was agreed that Defra should adopt option 3. This appeared to be the most pragmatic approach in the initial implementation stage of the NCP and left scope to move towards the adoption of option 4 if

industry was willing to establish an independent control body once the NCP had been implemented.

1.6 Under option 3 government will retain full responsibility for the monitoring and controls required by the NCP. However management and auditing (and possibly the collection of official control samples) will be shared jointly by the Competent Authority and industry. In practice it will be possible for companies with consistently good record keeping and biosecurity standards to conduct their own audits of the operator sampling and avoid the need for regular inspections. These producers will be required to provide evidence that they are in compliance with the NCPs requirements by sharing records with Animal Health (who will be responsible for enforcement). The type of evidence required would be the results of laboratory testing to confirm compliance with the operator sampling. Defra and industry representatives believe that implementing this option recognises the success of industry in controlling *Salmonella* and could lead to cost savings for both government and industry by reducing the need for official auditing and inspections.

1.7 *Summary of Costs to Industry and Government*

Industry		
Assurance	Operator sampling (1)	£189,463
	Cost of positive tests (2)	£29,288
	Minus derogation (3)	-£13,084
		£205,667
Non-assurance	Operator sampling (1)	£129,331
	Cost of positive tests (2)	£15,402
	Minus derogation (3)	-£5,031
		£139,702
	Inspection and enforcement (4)	£202,728
	Additional admin burden (5)	£199,210
	Industry total	£747,307
Government		
CA sampling for baseline	(6)	£20,007
	Total Costs	£767,314

1. See paragraphs: 11.4.2 – 11.4.9
2. 11.6.1 – 11.6.3
3. 11.5.1 – 11.5.3
4. 11.7.2 - 11.8.1
5. 11.9
6. 11.7.1

2. Definition

- A **zoonotic agent** means any virus, bacterium, fungus, parasite or other biological entity which is likely to cause a zoonosis.

- A **zoonosis** is any disease and/or infection which is naturally transmissible directly or indirectly between animals and humans.

- A **National Control Programme** (NCP) is a framework of measures required by Zoonoses Regulation 2160/2003 for the control and monitoring of zoonoses and zoonotic agents which must be implemented by all EU Member States.

- A **flock** means poultry of the same health status kept on the same holding or in the same enclosure and constituting a single epidemiological unit which, in the case of housed poultry, includes all birds sharing the same airspace.

- A **broiler flock** means a flock of domestic fowl (*Gallus gallus*) kept for the production of meat intended for human consumption. On most broiler holdings a flock is equivalent to a house. The capacity of a house is referred to as "bird places".

- A **laying flock** means a flock of poultry(*Gallus gallus)* kept for the production of eggs intended for human consumption;

- A **rearing flock** means poultry which are reared for the production of eggs or meat for human consumption.

- **Poultry** means birds of the species (*Gallus gallus)*, turkeys, ducks and geese.

- **Competent Authority (CA)** means a government body, or agency of the government body with the overall responsibility for the implementation and enforcement of legislation.

- **Control Body (CB)** is an organisation responsible for management of the NCP which may undertake certain delegated duties on behalf of the CA.

- **Competent Authority Sampling** means sampling which takes place under the control of the Competent Authority (CA). Officials might be responsible for collecting these samples or supervising their collection by a third party or delegating the supervision of their collection to a third party. Such samples are sometimes also referred to as "official control samples".

- ***Salmonella* of human health significance** is *Salmonella* Enteritidis and *Salmonella* Typhimurium. These salmonellas are most frequently found in the human population. In breeding flocks these salmonellas also include, *S*. Virchow, *S*. Infantis and *S*. Hadar.

3. Other legislation referred to in the Regulatory Impact Assessment

3.1 See 2.2.0 of the National Control Programme.

4. Purpose and intended effect

4.1 <u>The Objective</u>

4.1.1. Defra are working in partnership with key industry representatives to implement National Control Programmes in the pig and poultry sectors under EU Regulation 2160/2003. The overall objective of the NCPs are to improve public health through the detection and control of salmonellas of human health significance in primary production. The enhanced monitoring requirements should ensure that information on *Salmonella* status can be more easily compared across the EU, and the aim for a more unified approach to the control of *Salmonella* can be achieved. NCPs have been introduced for breeding and laying flocks. Over the next three years NCPs will be introduced for, turkeys and fattening pigs (2010) and then breeding pigs in all Member States.

4.1.2. The broiler NCP as enforced by The Control of *Salmonella* in Broiler Flocks Order 2008 (The Broiler Order) meets the requirements of EU legislation to reduce (and/or maintain) the level of *Salmonella* infection of public health significance on broiler holdings in the EU, and in turn aims to help reduce the level of human infection caused by *Salmonella* across the UK. The NCP seeks to accomplish this by ensuring that *Salmonella* serovars of human health significance are detected and controlled in broiler chickens and their environment in order to

reduce any risk they may pose to human health further along the food chain. It is likely to apply to all holdings with more than 5,000 chickens, and in some circumstances to holdings with less than 500 chickens. It should be noted that Regulation (EC) 2160/2003 applies to all primary production except where it is a) for private domestic use, or b) leading to the direct supply, by the producer of small quantities of primary products to the final consumer or to local retail establishments directly supplying the primary products to the final consumer.

4.2 Background – Legislation

The establishment of a baseline prevalence of Salmonella

4.2.1 EU Zoonoses Regulation 2160/2003 on the control of *Salmonella* and other specified zoonotic agents was agreed by the Secretary of State in 2003. This was in response to the opinion on zoonoses adopted on 12 April 2000 by the Scientific Committee on Veterinary Measures relating to public health. That opinion found that the measures in place in some Member States at the time to control food-borne zoonotic infections were insufficient and that the epidemiological data that Member States were collecting was incomplete and not fully comparable. It was agreed that the reduction of prevalence levels of salmonellas of public health significance were of particular importance and as a result the EU agreed in 2003 to set targets for reducing prevalence at the farm level.

4.2.2. This Regulation provides for the setting of Community targets for reducing the prevalence of *Salmonella* serovars (infections) of public health significance in pigs (fattening and breeding) and poultry (breeders, layers, broilers and then turkeys). The breeding flock sector had met this target when the legislation was implemented, the laying flock sector is expected to meet its target during the period of the NCP.

4.2.3. Surveys were carried out in all Member States, between October 2005 and September 2006, in order to determine a baseline prevalence level for *Salmonella* Enteritidis and *Salmonella* Typhimurium on commercial broiler flock holdings with at least 5,000 birds, in order to provide the scientific basis for setting a Community reduction target. A similar survey for laying flocks took place from 2004-5 which was also used to set a reduction target.

4.2.4. Five faeces samples were taken from the broiler flocks within 3 weeks before leaving for slaughter. In the EU Member States a total of 6,325 holdings corresponding to 7,440 flocks with validated results were included in the survey analysis. In the UK samples of faeces and litter material were collected from 383 farms. Amongst the 25 Member States (including Norway) that took part in the survey, the prevalence of *Salmonella* Enteritidis and Typhimurium ranged from 39% to 0%. The analysis of the results suggest that in some Member States broiler meat is a substantial source of *Salmonella* infections in humans. After the results were examined a baseline figure for reduction was set. This is a maximum percentage of meat chicken flocks remaining positive for *Salmonella* Enteritidis and *Salmonella* Typhimurium of 1% or less by 31 December 2011 across the EU Community as a whole.

4.2.5. In the UK *Salmonella* Enteritidis was not isolated from any of the holdings. *Salmonella* Typhimurium was isolated from one of the holdings. With a prevalence of 0.3% the UK has one of the lowest prevalence rates in the EU, which is below the EU target and demonstrates the success of the UK industry in controlling *Salmonella*. This is supported by other research which is available to government. The number of reported incidents of *S.* Enteritidis and *S.* Typhimurium continues to remain low.

The Establishment of National Control Programmes

4.2.6. The first NCP covered breeding flocks of domestic fowl and came into operation in January 2007, after full consultation under The Poultry Breeding Flocks and Hatcheries Order 2007 (which was revoked and replaced with The Control of *Salmonella* in Poultry Order (CSPO)).

This set out the official controls necessary to verify the target level established by EU Regulation 1003/2005 which was made under Regulation 2160/2003. This was for a maximum percentage of adult breeding flocks (comprising at least 250 birds) remaining positive for the five serovars (*Salmonella* Enteriditis, *Salmonella* Typhimurium, *Salmonella* Hadar, *Salmonella* Infantis and *Salmonella* Virchow) to be 1% or less by 31 December 2009. In December 2007 Defra was able to report that the breeding flock sector had met the requirements of the NCP and the prevalence estimate for UK flocks was well below the target set. The NCP for laying flocks followed on from the breeders NCP and came into force in February 2008. Defra will also be expected to report on progress under the broilers NCP to the Commission.

4.2.7. The NCP for broiler flocks complies with Regulations 2160/2003 and 646/2207. This legislation should ensure a consistent approach to the reduction of salmonellas of public health significance across the EU and equivalent protection of human health from chicken meat imported from other European Community Member States. Over the next 2 years a separate NCP will be drawn up for turkeys. This will be subject to a separate consultation.

4.2.8. The UK NCP for broiler flocks was submitted for approval by the Commission in December 2007 after the setting of the reduction target by Regulation 646/2007. The *Salmonella* control programme for flocks of broilers will start in every Member State on 1 January 2009 at the latest. Regulation 2160/2003 sets a general framework for control programmes which the NCP for broilers integrates:

- Minimum sampling requirements detailing the phases of production which sampling must cover (Annex II, B). The majority of this sampling is carried out by the operator, although the NCP requires that some samples are collected under the control of the Competent Authority in order to determine progress towards reduction targets set by EU legislation and to monitor the implementation.

- The relevant guides for good biosecurity and animal husbandry which cover issues such as rodent control to reduce the risk of introducing and maintaining *Salmonella* on the farm, the prevention of between-flock transmission (for instance through insufficient disinfection and pest control in poultry houses) and the monitoring of feed production. Guidance produced by the Food Standards Agency (FSA) on feed and food safety is also of relevance.

- The respective responsibilities of the Competent Authorities (CA) and food and feed business operators and the method of approval of laboratories for analysis of samples.

- The measures to be taken following the detection of zoonoses and zoonotic agents, to protect public health (see annex). These should help prepare producers for the specific measures laid down in Annex II of the Zoonoses Regulation 2160/2003 when a broiler flock is suspected of being infected with *S.* Enteritidis or *S.* Typhimurium. These are likely to be enforced under separate legislation when the microbiological criteria for *Salmonella* absence in 25 grams has been clarified by the Commission (due to come into force at the end of 2010).

The registration of poultry operators and record keeping at farms.

4.2.9. Relevant current national legislation is described in page 19 (paragraph 2.2.0) of the NCP. The structure and organisation of the relevant Competent Authorities (CAs) is described in page 12 (paragraph 1.5.0) of the NCP.

5. Rationale for government intervention.

5.1 The NCP will bring UK standards into harmony with those in other Member States. It will ensure that UK producers cannot be undercut through competition with producers in other EU

Member States and third countries without equivalent standards. NCPs are now in place for layers and breeders. This will ensure that the broiler sector is part of an integrated approach to *Salmonella* control.

5.2. The UK is committed to reducing *Salmonella* serotypes of public health significance at national and European Community level. There is currently no statutory monitoring programme for *Salmonella* in broilers in the UK producing meat for human consumption. Existing surveillance for *Salmonella* involves voluntary monitoring with the requirement for all laboratories which isolate *Salmonella* from a broiler flock or its environment to report the finding, and supply the isolate to the National Reference Laboratory to be recorded and analysed.

5.3 These reports provide useful information on the serovars which are most common in the birds, and indicate trends. However they do not give information on the number of holdings or flocks sampled and so it is not possible to monitor the prevalence of *Salmonella* in broiler flocks from these figures. The number of reports which have been made depend on the level and sensitivity of monitoring undertaken by the producers. Therefore, in order to establish whether or not the broiler sector continues to meet the reduction target, government must ensure that all flocks are monitored for *Salmonella* in a regular and consistent manner which complies with the legislation.

5.4. It is recognised that some Farm Assurance Schemes in the poultry sector set out monitoring and testing requirements beyond those currently recommended as good practice. The Farm Assurance Schemes are encouraged to incorporate the sampling programme in their codes of practice.

5.5. The NCP for breeding flocks establishes comprehensive monitoring and controls which should minimise the risk of *Salmonella* being brought onto holdings from breeding farms. The results of the EU survey of broiler flocks indicate that industry actions to control *Salmonella* over recent years have contributed to a low baseline level for the UK. However non-compliance with the monitoring and controls which other Member States should have in place would undermine future attempts to promote the reputation of the poultry sector. It would also have an impact on producers wishing to trade within the EU. Although some of these products would be redirected into domestic consumption, this may result in them losing value.

Establishment of Salmonella Reduction Targets

5.6. The reduction targets are set by Regulations made under Regulation 2160/2003. The reduction target for breeding flocks was set by Regulation 1003/2005 and Regulation 1168/2005 for layers. The purpose of Regulation 646/2007 for broilers is to:

a. To reduce or maintain the prevalence of salmonellas of public health significance in flocks of domestic fowl (*Gallus gallus*) on holdings in the UK producing chickens for meat for human consumption at least to the target levels set out in Regulation (EC) No 646/2007 which is a maximum percentage of meat chicken flocks remaining positive for *Salmonella* Enteritidis and *Salmonella* Typhimurium to 1% or less by 31 December 2011.

b. Set out requirements and testing methods under the control of the Competent Authority to verify the achievement of the Community target.

c. Set out requirements and testing methods to be performed by the operator

d. Ensures that samples are submitted to a laboratory authorised by the Competent Authority (CA), which applies quality assurance systems that conform to the requirements of the current EN/ISO standard.

5.7. Consultation outside government

5.7.1. Regular meetings have been held with major stakeholders in the UK poultry industry (including The British Poultry Council and the National Farmers Union) to discuss the requirements and implications of Regulation 2160/2003 and 646/2007 for the broiler flock sector and the draft NCP.

5.8. Consultation within government

5.8.1. During the drafting of the NCP Defra officials have also worked with colleagues in the Devolved Administrations, technical experts at the Veterinary Laboratories Agency and the Food Standards Agency.

6. Application and Scope

6.1. The NCP applies to all of the UK and therefore this IA considers UK wide costs. It was agreed that the structured nature of the UK broiler flock industry (the larger companies are UK wide) meant that separating the costs between England and the Devolved Assemblies would be an artificial exercise. Furthermore the assumptions behind the costs and benefits sections are not specific to England. Although The Broilers Order applies to England only, parallel legislation is expected to be introduced in Wales, Scotland and Northern Ireland. This SI will be made under the powers of the Animal Health Act 1981.

6.2. Defra is the Competent Authority (CA) for implementation of this NCP in England. It will be supported by the Veterinary Laboratories Agency, Animal Health, and Food Standards Agency. In Wales the Welsh Assembly Government is the CA for implementation of this NCP, in Scotland it is The Scottish Government Agriculture Department and in Northern Ireland it is the Department of Agriculture and Rural Development (DARD).

6.3. There are around 1,716 broiler holdings which produce meat for human consumption in the GB with more than 50 birds. The NCP applies to all those who keep broilers on a commercial basis. A significant number of those with fewer than 50 birds would not be operating on a commercial basis. Most broiler holdings have higher number of "bird places" (i.e. capacity for birds) than layers. This is to be expected since broilers are reared to their market weight within 6 weeks of being hatched. The majority of broiler chickens are housed in large sheds in flocks holding thousands of birds (25,000 - 45,000). For the purposes of the NCP a house can be considered to be equivalent to a flock. 80% of broilers are grown on holdings with 100,000 birds. Data from the GB Poultry Register indicates there are approximately 400 of these holdings. The scope and rigour of implementation is an important issue and is considered in the costs and benefits section of this IA.

6.4. Around 80-95% of chicken meat consumed in the UK is covered by the voluntary industry operated Assured Chicken Production (ACP) Scheme. ACP requires its members to collect litter samples and to operate to specified hygiene standards. ACP chicken production standards also cover animal husbandry and welfare. They apply to the whole production chain from breeder replacement farms to transport and abattoirs. ACP inspectors conduct one visit per year to members. Additional visits are conducted by auditors representing the supermarkets: usually a further three visits per annum. These are usually concerned with animal welfare. ACP is closely linked to Assured Food Standards Red Tractor Scheme.

6.5. Organic producers are inspected and certified by approved organic inspection bodies. These organisations inspect for organic integrity rather than food safety issues.

6.6. It is important that all operators consider what they need to do to meet the requirements of the NCP and, in particular, whether the sampling and testing requirements apply to them. In enforcing these requirements government needs to adopt a risk based approach and focus its

resources on companies in which the majority of production takes place or on the operations that present the greatest risk of passing on *Salmonella* infection to the consumer. All broiler holdings with excess of 40,000 birds fall within the requirements of the IPPC Regulations (Integrated Pollution Prevention and Control).

6.7. Whilst ACP accounts for a very high proportion of chicken meat consumed in the UK, 40% of producers are not covered by ACP. These are usually smaller producers who supply wholesale markets rather than supermarkets. These markets include producers for the organic market as well as those for Halaal and Kosher.

6.8. All poultry keepers, including broiler operators, are required to register with the GB poultry register. Government may focus enforcement resources on the larger holdings, while retaining powers to investigate any holdings, irrespective of size, on which it is considered that there may be increased risks of chicken meat for direct human consumption being produced from infected flocks. Enforcement of the NCP is an important issue for industry and consumers.

6.9. This NCP focuses on *Salmonella* Enteritidis and Typhimurium only which are considered to be the serovars of most human health significance due to their occurrence in the human population. It is possible for the NCP to cover other *Salmonella* serovars, however when this was discussed with industry representatives they expressed the view that it should focus on SE and ST.

7. Devolution

7.1. As stated earlier whilst this IA covers the costs and benefits to the UK, The Broiler Flocks Order will apply to England only. However it is expected that parallel national legislation will be introduced by the Devolved Administrations to comply with the EU requirements.

8. Risk Assessment

8.1. The immediate risk is that the failure to bring the NCP into force could result in the absence of powers to enforce the harmonised monitoring and controls. Without these powers government could fail to support the overarching objective of the European Commission to reduce or maintain the low prevalence of *Salmonella* serovars of major human health significance in broiler flocks of domestic fowl in Member States and could face infraction proceedings. Non-compliance would also reduce government and industry ability to ensure current high standards are maintained and that *Salmonella* does not spread to the wider food chain with subsequent adverse effects on human health. This would be a breach of community obligations and a failure to meet EU standards on health. There could also be a trade restriction on UK exports of chicken meat within the EU, which would have a substantial cost to some producers.

9. Sampling and testing requirements of the National Control Programme

9.1. The NCP requires that samples are collected from birds and their environment for the detection of *Salmonella*. These are summarised in Table 1.

Table 1.

Production Stage	Current sampling required by ACP and other Farm Assurance Schemes	NCP requirements from 2009 per flock
Operator sampling	Litter swabs between 21 and 28 days.	2 pairs of boot swabs (or hand drag swabs in small houses with less than 100 birds) within the period of 3 weeks before the start of depopulation on all houses on a holding

Official control sampling	Not required	2 pairs of boot swabs (or hand drag swabs) from one flock of broilers on 10% of holdings with more than 5,000 birds From all flocks on a holding after positive for SE or ST From a replacement flock on holding after positive SE or ST

9.2. In accordance with Regulation 646/2007 and described in the NCP (page 1 paragraph1.3.8) there are specific circumstances in which an operator may make an application for derogation not to sample all flocks on the holding if certain management criteria are met. See 1.3.8 of the NCP for details on derogation.

9.3. Operator sampling – detail

- Within 3 weeks before depopulation.

9.3.1 Regulations 646/2007 and 2160/2003 set out specific minimum sampling requirements for sampling at the initiative of the operator to ensure that the monitoring and control of *Salmonella* is comparable across all Member States. Operator samples are defined as samples which are collected by the operator (or their staff) without direct supervision from the CA.

9.3.2. Litter swabs are currently widely used by industry. Boot swabs are required by the NCP for sampling (apart from specific circumstances where hand drag swabs can be used) as this method was required by the protocol for the broiler survey which sets the baseline that was used to set the target for reduction. This method is considered by the Commission to be the most effective and practical *Salmonella* monitoring by the method and was also required for the layers and breeders NCPs.

9.3.3. The detection of *Salmonella* has been shown to be dependent on the number of faecal samples taken and their volume of material (faecal or dust) which is mixed and sub-sampled for testing. The EU baseline survey was designed to detect a prevalence of 1% *Salmonella* positive birds within the flock by collecting faecal material equivalent to about 300 individual faeces of 1 g from any selected holding. To achieve this 5 pairs of boot/sock swabs were taken from any selected flock. This approach was applied to all production types.

9.3.4. This method would be prohibitively expensive and cumbersome for normal use, hence a programme of repeated sampling using 2 boot swabs of all flocks on the site before the birds were sent for slaughter was determined by the Commission.

9.3.5. The operator of the flock is required to submit these samples to a laboratory authorised by the Competent Authority which applies quality assurance systems that conform to the requirements of the current EN/ISO standard. A record should be kept of the date when each flock is sampled for *Salmonella*, the identity of the flock sampled and the laboratory which undertook the analysis. The results of the tests should be made available to the Competent Authority or its agent in order to be able to monitor compliance with NCP.

9.4. Sampling under the control of the Competent Authority

- In at least one flock per year on 10% holdings which have at least 5,000 birds .

9.4.1. Competent Authority (or 'official control') samples are defined as samples which are collected under the control of the Competent Authority (i.e. the CA officer could collect the sample or

supervise the collection of the sample by a third party – for instance a farm operator). Under the NCP these will be collected from one broiler flock on each holding with more than 5,000 birds within three weeks before the birds are moved to slaughter as specified in Commission Regulation (EC) No 646/2007. Sampling carried out under the control of the CA may replace one sampling at the initiative of the operator. The holdings and flocks can be selected random, although there is scope for selecting on a risk control basis. Such a selection could focus on the larger holdings or those where a *Salmonella* problem is suspected.

9.4.2. These samples consist of 2 pairs of boot swabs. Page 11 (paragraph 1.3.5) of the NCP describes this requirement in further detail. Official control samples will also be collected from all flocks on a holding when a positive for *Salmonella* Enteritidis or Typhimurium is returned.

9.4.3. The use of antimicrobials (as defined in Regulation (EC) No 1177/2006) will be checked with the producer before the official sample is taken. If a sample is collected from a flock which is found to be under antimicrobial medication for animal health or animal welfare reasons, the flock will be sampled again after the period of withdrawal for the product given in its Marketing Authorisation. Flock owners are required to keep records of antimicrobial use and to make these records available under the Animals and Fresh Meat (Examination for Residues) Regulation 1988 Statutory Instrument 1998 No 848. When the medication status of flocks is uncertain additional samples may be collected. For the purposes of verification of the EU target and due to the short time period practically available for re-testing a flock before slaughter – flocks where SE or ST are not detected but antimicrobials or bacterial growth inhibitory effect are detected, the flock shall be considered as positive for the purpose of the Community target.

10. Application of the requirements of the National Control Programme

10.1 Options for management of the National Control Programme

10.1.1. The implementation options below focussed on the collection, testing and auditing of operator and Competent Authority (CA) samples required by the NCP. Regulations 2160/2003 and 646/2007 require that government or a Control Body acting on the government's behalf should play a substantial role in the monitoring of the NCP.

10.1.2. The agent of the CA with overall responsibility for the NCP will be staff from Animal Health. Due to the IPPC Regulations AH already has a presence on some broiler farmers. Over the next three years Animal Health officials will manage the monitoring and controls of the NCP by:

- undertaking and/or supervising the collection of CA samples
- monitoring and auditing the operator sampling
- providing support to industry control programmes which operate under the NCP (if industry wishes to adopt these).

10.1.3. The Broiler Flocks Order as drafted enforce the minimum sampling and record keeping requirements of the EU legislation. Government will retain full powers to collect samples and check records to implement the NCP. As previously stated under existing arrangements all samples under the control of the Competent Authority are tested at an approved laboratory.

10.2. Option 1: Implement the NCP on a voluntary basis only.

10.2.1 Under this option the NCP would be implemented on a voluntary basis without the government having powers to enforce. It is possible that a number of larger producers, in particular those which export broiler meat, might be willing to adopt the controls on a voluntary basis.

10.2.2. This approach would be a saving to government for enforcement costs and avoidance of on-farm inspections. It would also show a "light touch" approach to implementation in light of industry achieving target.

10.2.3. The viability of this option would be contingent on government being able to ensure that the controls and testing by all eligible producers meets the new requirements without enforcement powers. At the present time this is not possible. If the UK failed to have the same public health measures in place as those other Member States it would be regarded by the Commission as a partial implementation of the legislation and open the UK to infraction proceedings. If *Salmonella* levels on UK holdings increased it might also be considered to be a potential threat to public health. Moves at EU level towards compartmentalisation, whereby areas or companies can be approved as having met specific standards of controls and monitoring mean that this is an option could be explored in the future.

10.3. Option 2: For management of the NCP to be under the direct control of government.

10.3.1. The measures required by Regulations 2160/2003 and 646/2007 cannot be implemented through current legislation and administration. Under this option government would take full responsibility for monitoring and auditing the sampling and biosecurity requirements of the NCP. Such an arrangement would be likely to involve at least annual farm visits to all eligible holdings to check the operator sampling and the operator's arrangements for requirements such as cleansing and disinfecting between flocks, record keeping and sourcing of feed.

10.3.2. This option would have the advantage of ensuring a comprehensive system which could be managed directly by government and minimise possibilities for non-compliance. It would also be a level playing field between companies and be amenable to a quick response to outbreaks from government.

10.3.3. The costs to producers and government would be high. In GB there are 1,716 premises to which the requirements of the NCP can be applied. Of these 1,170 have more than 5,000 birds. Official control samples will need to be collected from 10% (117) of these holdings. All of these holdings will need to be audited for the collection of operator samples. Unlike layer flocks government officials do not have a programme for regular visits to broiler holdings (apart from IPPC inspections). There is an expense to government of setting up and maintaining a monitoring system. If the auditing was conducted on a cost recovery basis (which Defra may need to consider) these costs would be passed to industry.

10.3.4. These costs could however be partially controlled through a risk based auditing system to check operator sampling. In practice this would mean that visits would concentrate on holdings of a substantial size or where there are potential *Salmonella* problems.

10.4. Option 3: For responsibilities for the management and auditing of the NCP to be shared by government and industry.

10.4.1. Under option 3 Government would retain full responsibility for the monitoring and controls required by the NCP. However management for the auditing and possibly the collection of official control samples would be shared jointly by the Competent Authority and industry. In practice it would be possible for companies with consistently good records and biosecurity standards to conduct their own audits of the operator sampling and avoid the need for regular inspections. These producers would be required to provide evidence that they are in compliance with the NCP's requirements by voluntarily sharing records with Animal Health. Producers could, for instance, forward the results of laboratory testing to Animal Health offices to confirm compliance with the operator sampling or request that their laboratories share the testing results with government. This would be facilitated by The Zoonoses Order 1989 under which laboratories are compelled to report positive samples to the CA. This option would

recognise the success of industry in controlling *Salmonella* and lead to a possible cost saving to both government and industry.

10.4.2. This option would involve government working with individual farms, whereas Option 4 would require government to work with an industry control programme. If properly implemented it could combine the rigour of Option 2. It would take a light touch approach to the implementation of legislation to a sector where *Salmonella* monitoring and controls have been on a voluntary basis, and demonstrate trust in those producers which consistently work to high standards. It could also ensure that compliance with the NCP was driven by commercial incentives: verifiable adoption of the NCPs requirements would mean a greater chance of avoidance of the costs associated with a farm visit from government. It would provide greater scope for individual producers to apply for the sampling derogation of all flocks on their holdings.

10.4.3. For government it would have the advantage of allowing Animal Health officials to manage their resources more flexibly and to concentrate them on those areas where there was greatest need. Such an approach would be consistent with the principle that food business operators should take responsibility for the safety of their products, which underlies much of the legislation.

10.4.4. Under this arrangement however on-farm inspections would continue to be necessary. These could take the form of auditing "spot checks" to verify that the sampling was taking place. Controls on *Salmonella* positive farms would also be necessary. In this circumstance sampling and testing work conducted to investigate a holding where the presence of *Salmonella* is detected (as in Annex to Regulation 1168/2006) would be overseen by the CA as a standard procedure.

10.4.5. This option would however be dependent on industry continuing to meet the reduction target and would be contingent on an adequate information flow on sampling and transparent processes. Such an approach could not be implemented until producers had been given time to accustom themselves to the new testing requirements. After this stage it would only be possible to authorise specific companies to manage the NCP with more independence from the CA. This is not an option that government would wish to require of industry. The onus would be on broiler producers to put forward their own case for greater independence.

10.5. Option 4: For broiler companies to establish their own company control programme as part of the NCP.

10.5.1 Article 5 of Regulation (EC) 2160/2003 provides scope for producers and their representative bodies to put forward their own control programmes for approval to become part of the NCP. The Official Feed and Food Controls Regulation (Regulation (EC) No. 882/2004) provides scope for the delegation of specific tasks related to official controls to Independent Control Bodies. The intention behind article 5 is that producers adopt controls as part of their internal systems (for instance by expanding the codes of practice). Under this option company operating schemes would be updated to include the sampling and controls in the NCP. It should avoid the need for producers affiliated to farm assurance schemes to follow multiple control programmes. It would change the relationship between the CA and a producer, allowing for more independence and delegation. For this option to be adopted we would need to ensure that there was a reliable exchange of information between the CA and the auditors of the industry control programme. This would include reliable data on the audits of operator samples, and regularly updated lists of holdings covered by the control programme.

10.5.2. If this option was implemented it would mean that although Defra/AH would be the CA for the NCP, the Independent Control Body as the control programme's auditors would be responsible for the day to day management of the sampling programme. This would most likely be proposed or established by industry under a Farm Assurance Scheme, possibly after an interim

period for the new sampling requirements to become established. There could be a number of control programmes specific to producers. These might be farmers covered by Assured Chicken Production, or possibly organic farmers certified by appropriately accredited organic inspection bodies.

10.5.3. These bodies would be covered by protocols with the CA to enable proper monitoring and auditing. Their respective roles could be expanded as experience of the NCP grew.

10.5.4. The role of the CA would be to ensure that the industry control programme was managing the monitoring and controls of a holding to an acceptable standard. This would be contingent on external appraisal by Defra (or Animal Health), possibly through a programme of on the spot auditing at broiler farms and other relevant stages of production. It would also mean that the control programme would be prepared to take part in audits by the CA and the Food Veterinary Office. These interventions by the CA would be less frequent than under Option 3.

10.5.5. If properly managed by industry this option could offer the rigour of Option 2 with the flexibility of Option 3. Defra would hope that it would encourage industry acceptance of the case for regulation and give a sense of ownership of the NCP. It should however be noted that the validity and impartiality of official controls outside of direct CA control can be open to challenge by a Food Veterinary Office visit and competitors.

11. Benefits and costs.

Introduction

11.1.1. *Salmonella* is an important zoonotic pathogen that can lead to disease in human beings. Human salmonellosis cases, although often mild, can sometimes be serious and possibly even fatal. Human salmonellosis cases are usually characterised by fever, abdominal pain, nausea and sometimes vomiting. Symptoms are often mild and most infections only last a few days. However, sometimes the infection can be more serious and even fatal. The disease can also give rise to long-term or chronic conditions such as reactive arthritis.

11.1.2. The disease can therefore impose a significant economic cost, including the cost of medical treatment, possible fatalities, lost work days, and the pain and suffering of affected persons. A potential benefit of the proposed policy would therefore be to reduce the incidence of human salmonellosis in the UK.

11.1.3. Reduction in disease incidence is not expected to occur as a result of actions undertaken within the UK, as the UK National Control Programme is likely to keep *Salmonella* prevalence in broiler flocks in the UK at the existing low level instead of reducing it further. However, since this is EU legislation, similar control programmes will be implemented in other EU countries, some of which – such as Poland and Spain – have high *Salmonella* prevalence. Benefits to the UK can therefore be expected as a result of reduced risk of *Salmonella* infection from consumption of meat imported from these countries. There will also be a similar benefit for UK citizens who consume meat while visiting these countries.

11.1.4. It is difficult to monetize the potential benefit, as there are large areas of uncertainty, e.g.

(i) the reduction in *Salmonella* prevalence in broiler flocks that will be achieved in other EU countries as a result of the control plans implemented in these countries,
(ii) the impact of the above on the incidence of human salmonellosis cases in the UK, and
(iii) the cost of the avoided cases, which would depend upon the degree of severity.

The following sections therefore present a more general discussion of the potential (non-monetized) benefit of the policy.

Human salmonellosis in the UK

11.1.5 A total of 14,060 laboratory-confirmed cases of salmonellosis were reported in the UK in 2006. Under-reporting of infectious intestinal disease is common, and it is expected that there are three unreported cases for each confirmed case (Defra, 2007).

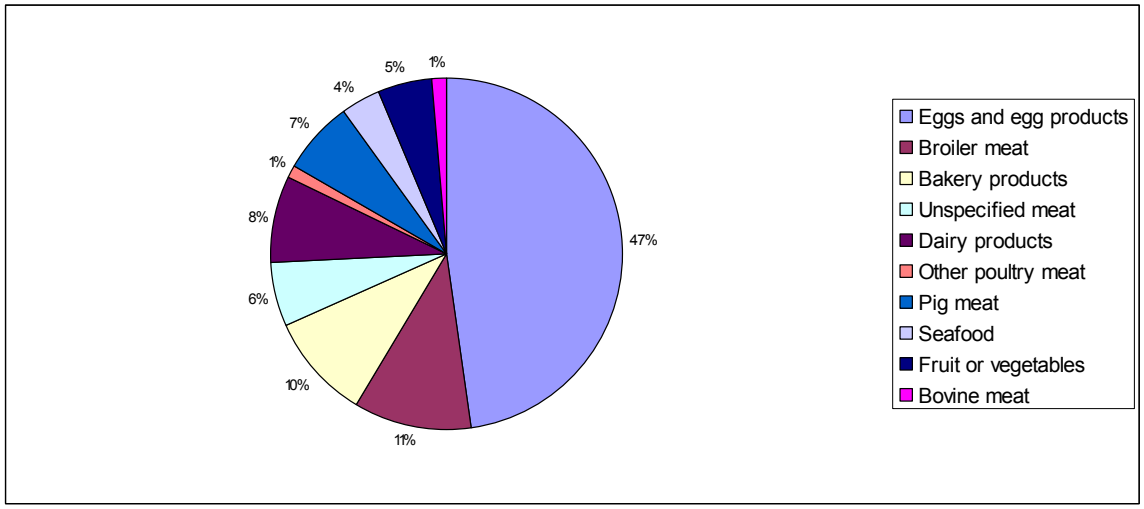
11.1.6. The economic cost of salmonellosis is significant. Cost estimates in the literature imply that the per case cost of cases in which the patient visits a GP is about £736 in current prices. This includes medical costs as well as direct costs to cases and carers, including time off work. The per case cost of cases in which the patient does not visit a GP is estimated to be about £53 in current prices (cost estimates based on Roberts, 2000).

Sources of infection

11.1.7. It is not possible to estimate how many of the salmonellosis cases in the UK arise due to consumption of broiler chickens imported from the EU. Infection can result from consumption of a wide variety of contaminated foods, including but not limited to poultry. It can also be the result of direct contact with a wide range of animal species and contact with faecally contaminated environments. Contaminated poultry was identified as the source of one salmonellosis outbreak in the UK in 2006, while contaminated eggs were responsible for four outbreaks (Defra, 2007).

11.1.8. Within the EU as a whole, figure 1 shows that broiler chickens are a primary source of *Salmonella* infection, next in importance only to contaminated eggs and egg products.

Figure 1. Main known sources of infection in salmonellosis cases in the EU in 2005



(Source: Adapted from EFSA, 2006)

Salmonella prevalence in the UK and EU

11.1.9. A EU-wide baseline survey of commercial broiler flocks conducted in 2005-06 found that, overall, 11% of broiler flocks in the EU tested positive for *S.* Enteriditis and/or *S.* Typhimurium, the two serovars currently targeted by EU legislation[1]. EU countries with a high prevalence of either or both of the targeted serovars included Portugal (39.3%), Poland (32.4%) and Spain (28.2%) (EFSA, 2007).

11.1.10. A total of 3,406 salmonellosis outbreaks occurred in the EU in 2005, accounting for nearly 64% of all food-borne outbreaks. A total of 25,760 people were affected, of whom 14% were

[1] Other Salmonella serotypes with public health significance may be considered only after a transitional three-year period.

hospitalised and 16 people died. Germany, Slovakia, Austria, Spain and Poland accounted for the majority of outbreaks (EFSA, 2006).

Imports from EU countries with high Salmonella prevalence

11.1.11. As noted in the previous section, EU countries with high *Salmonella* prevalence include Portugal, Poland and Spain. Chicken imports from these countries to the UK, and their share in the total supply of chicken to the UK domestic market, are shown in the following table. These countries account for about 9% of total chicken imports from the EU, and comprise about 2.4% of the total supply of chicken to the UK domestic market in the UK. This might indicate that the potential benefit of the policy is likely to be low, on the other hand, since *Salmonella* prevalence in chickens raised domestically is low, it is possible that these imports exert a disproportionate influence on the incidence of human salmonellosis in the UK.

Table 2. Imports, exports and domestic production of chicken in the UK in 2007 (tonnes)[2]

Category	**Quantity**
Chicken imports from Portugal, Poland and Spain	34,373
Chicken imports from all EU	384,167
Chicken imports from non-EU	23,192
Total chicken imports to the UK (1)[3]	407,360
Total UK exports of chicken (2)	239,304
Domestic chicken production in the UK (3)[4]	1,265,440
Total supply of chicken to domestic market (3+1-2)	1,433,496
Share of Portugal, Poland and Spain in total supply	2.4%

Other benefits

11.1.12. The presence of voluntary industry initiated assurance schemes that impose requirements for *Salmonella* testing is an important contributory factor for low *Salmonella* prevalence in the UK. About 80% of holdings with broiler chickens in the UK are members of such assurance schemes. While these schemes aim to reassure consumers, they also raise the costs of production as participating holdings are required to undertake *Salmonella* testing based on litter testing prior to slaughter. By requiring other EU countries to undertake testing, the policy will have the effect of imposing similar costs on other EU producers, thus improving the competitiveness of broiler chickens produced in the UK. The success of the control programme in breeding flocks means that the day old broiler chicks placed on farm should be free of SE and ST. Whichever of the options from 2 to 4 that can be successfully implemented they should enable the broiler flock sector to be part of an integrated approach to food safety through adequate and harmonised monitoring across the EU. It should also be noted that improved farm hygiene and biosecurity to reduce *Salmonella* can be beneficial for other disease control purposes and demonstrably consistent with EU standards.

[2] The data are for all chicken meat rather than broiler chicken meat only, because trade data does not distinguish between broiler and boiler chickens.
[3] Source of all trade data is www.uktradeinfo.com
[4] Source: Poultry and Poultry Meat Statistics 2008 https://statistics.defra.gov.uk/esg/statnot/ppntc.pdf

Conclusion

11.1.13. *Salmonella* is an important zoonotic pathogen that is a major cause of food-borne outbreaks. Although we would expect the proposed policy to be more likely to hold *Salmonella* prevalence in the UK at existing levels rather than reduce it further, potential benefits could arise from lowering the rate of *Salmonella* prevalence in EU countries that supply to the UK. Countries such as Portugal, Poland and Spain have high rates of salmonella prevalence at the present time. These countries account for about 2% of the total supply of chicken to the UK domestic market. It is not possible to monetize the potential benefit due to lack of knowledge about the role of imports from EU countries with high *Salmonella* prevalence on human salmonellosis outbreaks in the UK.

11.1.14. Although the NCP is likely to lead to greater costs for producers these are relatively low compared to the economic benefits. By agreeing to meet the same criteria of the Member States – even though the prevalence of *Salmonella* is low – we agree to bear the same costs in return for the benefits to industry and consumers of standards and methods which are equal across the EU for the production of broilers.

References

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11.2. Costs of implementation options

11.2.1 Options 2-4 implement the minimum sampling and testing requirements of the NCP. It would not be government policy to consider going beyond these requirements. The cost estimates of these options include baseline costs which will cover the operator sampling. These include the cost of familiarising staff with the new sampling requirements and the cost of collecting and testing the samples. The estimates also cover the cost to government for services in relation to official control sampling where provided by Animal Health and the VLA.

11.3. Structure of the Industry

11.3.1. The following industry structure has been used in the estimate of the costs. It is based on the data contained within the GB poultry register.

category (number of broilers)	50-999					1000-4999					5000-14999					15000-99999					100000+					Total			
Housing type	premises	Premises not affiliated to assurance schemes	premises affiliated to assurance schemes	Premises affiliated to assured chicken production	total poultry	premises	Premises not affiliated to assurance schemes	premises affiliated to assurance schemes	Premises affiliated to assured chicken production	total poultry	premises	Premises not affiliated to assurance schemes	premises affiliated to assurance schemes	Premises affiliated to assured chicken production	total poultry	premises	Premises not affiliated to assurance schemes	premises affiliated to assurance schemes	Premises affiliated to assured chicken production	total poultry	premises	Premises not affiliated to assurance schemes	premises affiliated to assurance schemes	Premises affiliated to assured chicken production	total poultry	premises	premises affiliated to assurance schemes	Premises affiliated to assured chicken production	total poultry
All	456	395	61	0	95,937	90	73	17	0	184,137	100	36	64	19	1,083,950	586	191	395	336	29,859,610	484	35	449	424	92,450,747	**1,716**	**986**	**780**	**123,674,381**
stated organic premises	91	70	21	0	20,830	14	9	5	0	40,987	42	15	27	0	420,850	38	9	29	DS	1,370,300	0	0	0	0	DS	**187**	**90**	**DS**	**>=1,952,967**
Number of Flocks	125	96	29	0		17	11	6	0		60	21	38	0		76	18	58			0	0	0	0					
free-range	246	206	40	0	53,274	58	46	12	DS	117,675	63	21	42	15	667,650	103	12	91	69	3,931,800	0	0	0	DS	735,000	**>=471**	**>=186**	**87**	**5,505,399**
Number of Flocks	339	284	55	0		69	55	14			89	30	60	21		206	24	182	138		0	0	0						
indoor (barn or cages)	227	201	26	0	48,321	35	28	7	0	68,200	31	10	21	DS	356,900	412	160	252	228	22,185,810	425	32	393	377	80,440,815	**1,130**	**699**	**>=606**	**103,100,046**
Number of Flocks	313	277	36	0		42	33	8	0		44	14	30			824	320	504	456		2,295	173	2,122	2,036					
coop or pen	64	58	6	0	10,052	DS	0	0	0	DS	6	1	5	DS	74,500	0	0	0	DS	128,500	0	0	0	DS	DS	**78**	**16**	**7**	**674,352**
Number of Flocks	88	80	8	0			0	0	0		9	1	7			0	0	0			0	0	0						
data can be used for salmonella control	294	255	39	0	60,561	58	46	12	DS	121,475	69	22	47	15	740,200	363	73	290	252	19,517,005	376	20	356	336	71,757,847	**1,160**	**744**	**>=604**	**92,197,088**

11.4. Costs of Option 3

11.4.1. The several different types of costs considered for option 3, some of which were shared with the other options considered in the consultation IA and some of which are specific to option 3. The costs are considered below, with a summary table including the costs of all options by means of comparison shown in section 12.

Operator Sampling

11.4.2. The routine costs to operators of the NCP for broilers are:

- The cost of collection of samples within 3 weeks before slaughter
- The cost of testing samples.
- The cost of arranging for the collection of official control sample with the CA if selected (time associated).
- The cost of co-operating with auditing by the CA (time associated).
- The cost of cleansing and disinfection if a flock is positive for SE or ST and the collection of an official control sample from flocks on the holding.

11.4.3. It is anticipated that these costs would be borne by the operator and not by government. The total costs of operator sampling are summarised in the following table against current costs for operators who sample under a farm assurance scheme.

11.4.4. As stated earlier samples should be collected by the operator from each flock within three weeks before the birds are moved to the slaughterhouse. The cost of one sampling occasion is:

£16.00 x 2 for time taken in collecting the samples
£15.00 for testing the samples (2 pairs of boot swabs pooled into 1 sample)
£1.50 for sampling equipment (2 pairs of boot swabs/hand drag swabs)

Total: £48.50 for one sampling occasion.

11.4.5. As stated earlier many of the larger producers are already sampling under existing farm assurance schemes. However it is likely that the sampling methods required by the NCP will mean that most producers will face some increase in costs. This section looks in detail at the costs to individual producers as well as industry. Broilers are grown to market weight on a holding within 7 weeks. With the usual 2 to 3 weeks empty time between groups, this represents nearly 6 cycles of production annually. The increase in costs for a holding with 15,000 – 99,999 bird places the increase in costs will be:

Crops per year	6
Current cost of litter sampling	£5
Cost of boot swab sampling	£15
Increase in cost	£10
Cost per holding per annum	£126
Total cost per annum	**£7,685**

11.4.6. The sampling costs of the NCP will apply to all producers regardless of the options which are implemented. All holdings will be required to perform a boot swab test for each flock within three weeks of the flock going to slaughter. There is however some scope for reducing them through the sampling derogation. The implementation options also set out a possible reduction in more general auditing and compliance costs.

11.4.7. The increase in cost of this requirement to the producer will depend on the level of sampling performed at present. We have assumed that members of assurance schemes already perform some degree of sampling (such as litter sampling as is the case for ACP) and therefore they will only face the additional cost that the NCP requirements impose.

11.4.8. Assuming currently assurance scheme sampling costs £5 and the boot swab sampling costs £15 the **total annual cost to assurance scheme members of the sampling requirements will be** £189,463

	50-999	4999	14999	99999	100000+
Crops Per Year	6	6	6	6	6
Current Cost of Litter Sampling	£5	£5	£5	£5	£5
Cost of Boot Swab Sampling	£15	£15	£15	£15	£15
Increase in Cost	£10	£10	£10	£10	£10
Total Cost Per Annum	£7,685	£1,712	£8,094	£44,640	£127,332
Cost per Holding per annum	£126	£101	£126	£113	£284
Total Industry Cost per Annum	£189,463				

11.4.9. Assuming non-assurance scheme holdings will face the full cost of the boot swab sampling **the total cost to non-assurance scheme will be** £129,331

	50-999	1000-4999	14999	99999	100000+
Crops Per Year	6	6	6	6	6
Cost of Boot Swab Sampling	£15	£15	£15	£15	£15
Total Cost Per Annum	£66,312	£8,881	£6,007	£32,580	£15,552
Cost per Holding per annum	£168	£122	£167	£171	£444
Total Industry Cost Per Annum	£129,331				

11.5. Savings from Operator Sampling Derogation

11.5.1. If a holding complies with certain criteria (see NCP paragraph 1.3.8) then it can take advantage of a derogation to only perform *Salmonella* sampling on one flock from each holding reducing the cost of the operator sampling requirements.

11.5.2. Assuming 10.00% of holdings take advantage of this derogation the savings available to assurance scheme and non-assurance scheme holdings are £13,084.

Assurance Scheme

category (number of broilers)	50-999	4999	14999	99999	100000+
Average Cost per Holding per Year (no derogation)	£126	£101	£126	£113	£284
Average Number of Flocks per Holding	1.38	1.19	1.42	2.00	5.40
Average Cost per Holding per Year (with derogation)	£91	£85	£89	£57	£53
Saving for Holding Using Derogation	£35	£16	£37	£57	£231
Percentage of Holdings Appling Derogation	10.00%	10.00%	10.00%	10.00%	10.00%
Number of Holdings Appling Derogation	6.10	1.70	6.40	39.50	44.90
Total Saving from Derogation per Year	£210	£27	£239	£2,232	£10,375
Total Industry Saving from Derogation Per Annum	£13,084				

11.5.3. For non-assurance scheme the saving is £5,031

Non-Assurance Scheme

category (number of broilers)	50-999	4999	14999	99999	100000+
Average Cost per Holding per Year (no derogation)	£168	£122	£167	£171	£444
Average Number of Flocks per Holding	1.38	1.19	1.42	2.00	5.40
Average Cost per Holding per Year (with derogation)	£122	£102	£118	£85	£82
Saving for Holding Using Derogation	£46	£19	£49	£85	£362
Percentage of Holdings Appling Derogation	10.00%	10.00%	10.00%	10.00%	10.00%
Number of Holdings Appyling Derogation	39.5	7.3	3.6	19.1	3.5
Total Saving from Derogation per Year	£1,816	£141	£178	£1,629	£1,267
Total Industry Saving Per Annum	£5,031				

11.6. Cost if Flock Tests Positive

11.6.1. If a flock tests positive for *Salmonella* action has to be taken to clean up and disinfect the premises before the house is repopulated they will also have to undergo CA sampling and these actions will obviously incur a cost. The overall cost will depend on the number of flocks testing positive and to estimate this we have used the UK baseline *Salmonella* prevalence figure of 0.20%. We have assumed that holdings within assurance schemes currently undergo some form of clean up and disinfection which costs them £500 and under the NCP the cost of this will be £550 therefore they face an additional cost of £50. Non-assurance scheme holdings will face the full clean up cost. All positive holdings will face a CA sampling charge of £171.

Assurance Scheme

11.6.2. The estimated total annual cost for assurance scheme members testing positive for *Salmonella i*s £29,288.

	50-999	4999	14999	99999	100000+
Salmonella Prevalence (%)	0.20%	0.20%	0.20%	0.20%	0.20%
Number of Flocks	128.08	28.53	134.90	744.00	2122.20
Crops per Year	6.00	6.00	6.00	6.00	6.00
Flocks per Year	768.47	171.20	809.40	4464.00	12733.20
Number of Positive Flocks per Year	1.54	0.34	1.62	8.93	25.47
Number of Flocks on Positive Holdings	2.12	0.41	2.30	17.86	137.52
Current Cost Clean Up	£500	£500	£500	£500	£500
New Cost of Clean Up	£550	£550	£550	£550	£550
Change in Clean Up cost	£50	£50	£50	£50	£50
Total Clean Up Cost	£77	£17	£81	£446	£1,273
Cost of CA Sampling	£171	£171	£171	£171	£171
Total Cost of CA Sampling per Annum	£362	£70	£393	£3,053	£23,516
Average Cost per Firm	£7	£5	£7	£9	£55
Total Cost per Annum	£439	£87	£474	£3,500	£24,789
Total Industry Cost per Annum	£29,288				

Non-Assurance Scheme

11.6.3. The estimated total annual cost for assurance scheme members testing positive for *Salmonella* is £15,402.

	50-999	4999	14999	99999	100000+
Salmonella Prevalence (%)	0.20%	0.20%	0.20%	0.20%	0.20%
Number of Flocks	736.80	98.68	66.74	362.00	172.80
Crops per Year	6.00	6.00	6.00	6.00	6.00
Flocks per Year	4420.79	592.07	400.44	2172.00	1036.80
Number of Positive Flocks per Year	8.84	1.18	0.80	4.34	2.07
Number of Flocks on Positive Holding	12.18	1.41	1.14	8.69	11.20
Current Cost Clean Up	£0	£0	£0	£0	£0
New Cost of Clean Up	£550	£550	£550	£550	£550
Change in Clean Up cost	£550	£550	£550	£550	£550
Total Clean Up Cost	£4,863	£651	£440	£2,389	£1,140
Cost of CA Sampling	£171	£171	£171	£171	£171
Total Cost of CA Sampling per Annum	£2,082	£241	£194	£1,486	£1,915
Average Cost per Firm	£18	£12	£18	£20	£87
Total Cost per Annum	£6,945	£892	£635	£3,875	£3,055
Total Industry Cost per Annum	£15,402				

11.7. Cost of Competent Authority Sampling for Baseline

11.7.1. The EU requires that the CA takes *Salmonella* test samples from one flock on 10% of holdings each year in order to estimate the overall *Salmonella* prevalence rate. We have estimated that the annual cost to Government is estimated to be £20,007.

Number of Holdings with Over 5000 Birds	1,170
% of holding on which one flock will be sampled	10.00%
Cost of Performing CA Sample	
Admin	£56
Testing Costs	£15
CA Staff Cost per 30 mins	£25
Number of Hours Required	2
Total CA Staff Costs	£100
Total CA Cost per Sample	£171
Total Cost to Govt of CA Sampling for Baseline	£20,007

11.7.2. The testing will also require industry time for a member of staff to be present when the sample is performed. As this cost represents an administrative burden to industry, overheads of 30% are included. The cost of this is estimated to be £2,759, which is included in the total Additional Admin Burden costs (see 11.9)

Farmer Wage Cost per Hour (plus 30% admin overheads)	£12
Number of Hours Require	£2
Total CA Sampling Cost to Industry	£2,759

11.8. Costs for Inspection and Enforcement

11.8.1 It is assumed that there are approximately 1,716 holdings in the UK which are eligible for operator sampling. Compared to Option 2 described above, there would be more scope for reducing the frequency and rigour of auditing and inspections by the CA and consequently lower cost to industry and government. With the co-operation of producers proof of compliance with these could be provided by other means. For this we have assumed that the inspection regime will only take two hours of CA and farmer time per annum. These two hours of farmer time represent an administrative burden. There could also be more scope for derogation of sampling requirements. Government would not have to regularly check that criteria is being fulfilled (i.e. under same management, feed systems etc). If the auditing costs were passed back to industry through cost sharing and we estimate the additional annual cost to industry from inspection visits to be £202,728.

	50-999	4999	14999	99999	100000+
Number of Premises	456	90	100	586	484
AH Cost per Hour	£50	£50	£50	£50	£50
Number of Hours	2	2	2	2	2
Farmer Average Wage per Hour	£9	£9	£9	£9	£9
Number of Hours	2	2	2	2	2
Average Cost per Firm	£118	£118	£118	£118	£118
Total Cost per Annum	£53,872	£10,633	£11,814	£69,230	£57,180
Total Industry Cost per Annum	£202,728				

11.9 **Additional Administrative Burden**

In addition to the administrative burden from Inspection and Enforcement (see 11.8) there are further admin burdens impacting on industry from the regulation. (remove first sentence). These include the time cost of familiarisation with legislation, (two hours per annum), the costs of keeping records of test results (six hours per annum) and the cost of producing records for inspection (half an hour per annum). The wage rate assumed for operators is £16 per hour, which includes 30% overheads. All together, these time costs are approximately £130 per holding. It has been assumed that around one third of the time taken for record keeping will already be spend by assurance scheme affiliates on record keeping, hence the additional admin burdens are estimated to be £100 per holding for these operators. For the industry as a whole, including AS and non-AS operators, these costs are estimated to be £196k. Note that the additional Administrative Burden figure included in the Summary: Analysis and Evidence sheet and Summary table on page 4 also includes the administrative cost of sampling for baseline (see 11.7.2); together therefore the Additional Administrative Burden totals £199,200.

12. Summary of Costs by Option Type

Costs by Sector						
		Cost to all options		**Additional Cost for Options (Industry Costs)**		
Year	**Discount Factor**	**Industry**	**Government**	**Option 2**	**Option 3**	**Option 4**
1	1	£544,579	£20,007	£506,821	£202,728	£156,713
2	0.966183575	£526,163	£19,330	£489,682	£195,873	£151,413
3	0.9335107	£508,370	£18,677	£473,122	£189,249	£146,293
	Total (NPV 3 Years)	£1,579,112	£58,014	£1,469,625	£587,850	£454,419
Total Discounted Costs NPV 3 Years						
	Option 2	**Option 3**	**Option 4**			
Total (NPV 3 Years)	£3,106,751	£2,224,976	£2,091,545			

13. Small Firm Impacts

13.1. There are about 1,716 broiler holdings (with more than 50 birds) that produce meat for human consumption in GB. The NCP applies to all those who keep broilers on a commercial basis. Table 3 shows the size distribution of broiler premises.

Table 3. Size distribution of broiler premises

Category (number of broilers)	Number of premises
50-999	456
1,000-4,999	90
5,000-14,999	100
15,000-99,999	586
100,000+	484

13.2. The costs of the policy option for the different size categories of producers have been calculated and are reported in Table 4.

Table 4. Unit costs per year for broiler premises by size

Costs	50-999	1,000-4,999	5,000-14,999	15,000-99,999	100,000+
Common costs					
Operator sampling AS*	123	99	123	107	260
Operator sampling non-AS	163	120	162	162	408
Average cost if positive AS	7	5	7	9	55
Average cost if positive non-AS	18	12	18	20	87
Additional admin burden AS	101	101	101	101	101
Additional admin burden Non-AS	132	132	132	132	132
Option-specific costs					
Option 3	118	118	118	118	118
Total cost per firm per annum					
Option 3 AS	349	323	349	335	534
Option 3 Non-AS	431	382	430	432	745
Option 3 Average	420	371	370	336	501

* AS: Assurance Scheme
** ACP: Assured Chicken Production scheme

13.3. The table above shows that the operator sampling costs are broadly similar across the range of broiler premises, with the exception of the largest operators. Note that these figures are based on 10% of the premises applying the derogation. The table also shows the variation in estimated costs between firms affiliated with an Assurance Scheme and those not part of such a scheme. The primary reason for this is because the cost of operator sampling is higher for smaller firms than for larger ones. The average costs overall for smaller firms is relatively close to the Non-AS firm costs, reflecting the low number of affiliation with assurance schemes amongst firms of this size.

Table 5. Affiliation to assurance schemes by size of broiler premises (%)

Category (number of broilers)	50-999	1,000-4,999	5,000-14,999	15,000-99,999	100,000+
Premises affiliated to assurance schemes	13	19	64	67	93
Premises affiliated to the ACP	0	0[5]	19	57	88

14. Cost recovery

14.1. Poultry operators have been charged for services under the NCPs since the introduction of the NCP for breeding flocks in 2009. A new charging scheme enabling government to recover costs in full for the collection and testing of official control samples for layer flocks as well as breeders was introduced in summer 2008. This was enforced and enabled by the Zoonoses and The Animal By-Products (Fees) Regulations 2008.

14.2. Defra will need to consider whether the Fees Regulations should be amended to recover costs for government resulting from any testing and collection of official control samples from broiler holdings carried out by the CA. There is also potential for government to recover the administration and running costs of checking systems to ensure compliance with operator sampling. The time spent auditing operator samples may vary from farm to farm. Any amendment to the Fees Regulations would be discussed in detail with industry.

14.3. Defra will need to look at way of extending controls to abattoirs: making compliance with the NCP contingent on membership of a Farm Assurance Scheme should mean that the requirements will become self-enforcing. It will be particularly to extend these to the abattoirs for the specialist producers.

14.4. Under new Defra approval laboratories will be required to report negative as well as positive samples. They will also be required to report specific data on the location and holding from where the samples were collected.

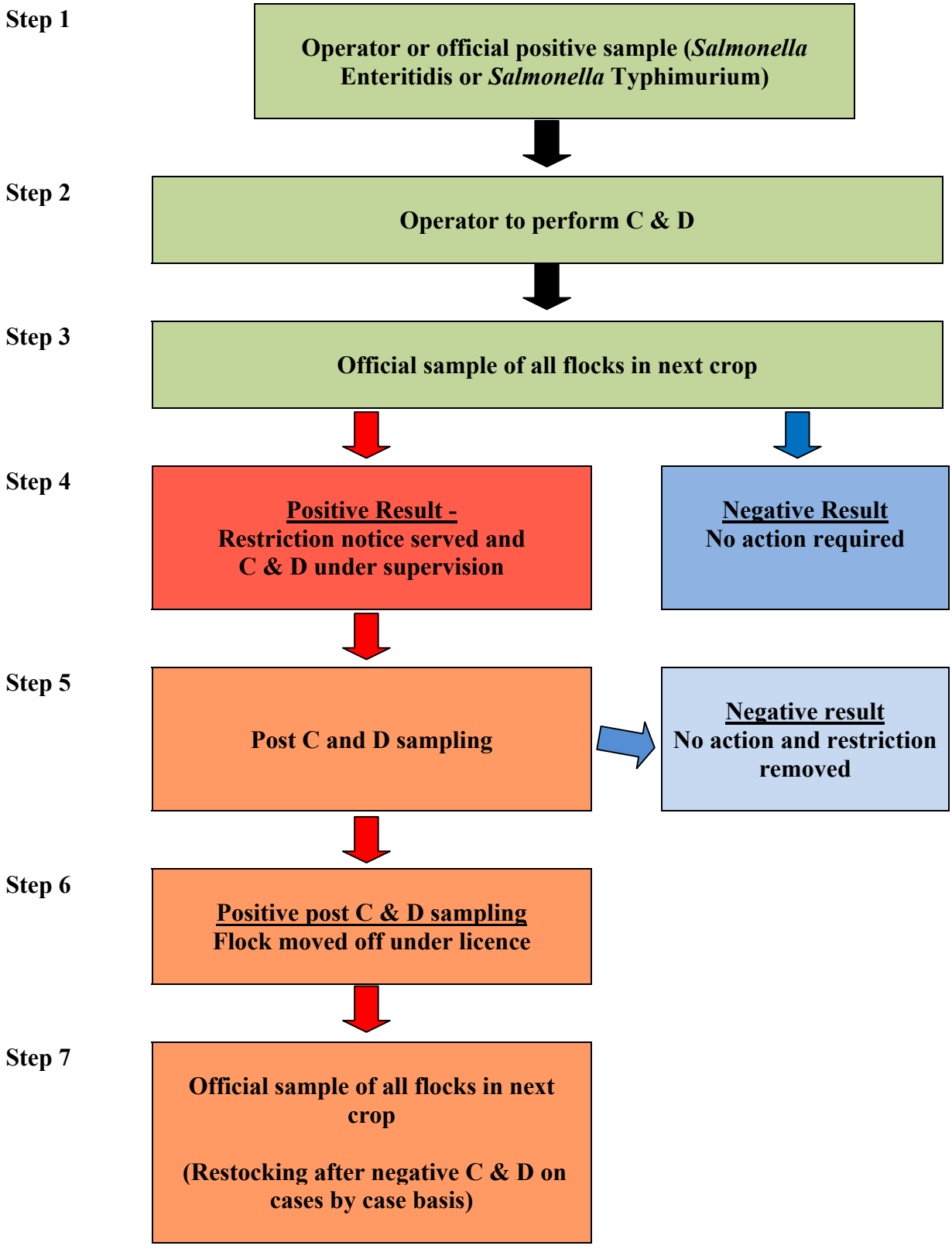
15. Procedures to be followed when *Salmonella* is suspected on a holding

15.1. This table summarises the steps which may be taken when SE or ST is detected on a holding. This includes the actions which can be taken by government as well as industry. The CA's obligation is to ensure as far as possible that flocks where SE or ST pose a risk to human health. It is also our intention that these measures should help prepare producers for the specific requirement concerning fresh meat in Regulation 2160/2003.

15.2. As previously stated the results of the broiler survey indicate that biosecurity is strong on most broiler holdings. Under existing assurance schemes (such as Assured Chicken Production) a written cleaning and disinfection procedure must be implemented to ensure eradication of the pathogen once depletion is completed. It is not the aim of government to duplicate operating procedures which are already effective. Therefore although the CA will have the powers to carry out all of the actions below (such as serving notices) these will depend on the circumstances on the ground. The CA is however under an obligation to collect the official control sample. Information is available to Defra from other sectors of the poultry industry which identifies the risk factors that make holdings vulnerable to *Salmonella*. We hope that producers whose flocks return a *Salmonella* positive results will be willing to seek advice and guidance.

[5] Treated as zero because data withheld due to confidentiality reasons.

Summary of measures following isolation of *Salmonella* in a flock



Specific Impact Tests: Checklist

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	***Results in Evidence Base?***	***Results annexed?***
Competition Assessment	No	Yes
Small Firms Impact Test	No	Yes
Legal Aid	No	Yes
Sustainable Development	No	Yes
Carbon Assessment	No	Yes
Other Environment	No	Yes
Health Impact Assessment	No	Yes
Race Equality	No	Yes
Disability Equality	No	Yes
Gender Equality	No	Yes
Human Rights	No	Yes
Rural Proofing	No	Yes

Annex 1 (a): Outcome of Impact Tests not referred to in the Evidence Base

Competition assessment

All eligible farms in the UK will be subject to the requirements of the National Control Programme. It is not felt that these requirements will reduce the number or range of suppliers of broiler flocks nor limit the ability of suppliers to compete with each other. Compliance will not limit firms' ability to choose the price, range, quality and location of their products. The measures will not impose additional costs on new entrants compared to incumbent firms. The UK industry is modern and efficient but is not characterised by rapid technological change.

The broiler sector is dominated by a small number of large suppliers. However, it is not thought that the NCP would affect the ability of other firms to compete with them – all farms would have to comply with the legislation.

All EU Member States will need to implement the legislation and so there will be a more level playing field for EU competition.

Small Firms Impact Test

Almost all broiler producers would be classified as a small business, as they employ fewer than 250 full time equivalent employees.

The aim of the options considered above is to enable normal business to continue for all firms in the industry while complying with EU law. A key consideration in analysing the options has been recognition of industry achievements in controlling *Salmonella* which supports an approach which will limit the need for government intervention.

Legal Aid

The draft Regulations do not create any new criminal sanctions or civil penalties.

Sustainable Development

The new Directive is in accordance with the shared UK principles of sustainable development.

Carbon Impact Assessment

The NCP will have no significant effect on carbon emissions, as in the main the nature and scale of conventional broiler production and marketing is likely to remain the same. There may be some change to the carbon footprint of individual businesses, but the overall impact for the industry as a whole is unlikely to alter substantially.

Other Environmental Issues

As the nature of conventional broiler production and marketing is likely to remain the same, the NCP has no implications in relation to climate change, waste management, landscapes, water and floods, habitat and wildlife or noise pollution.

Health Impact Assessment

Salmonella is an important zoonotic pathogen that can lead to disease in human beings. Data from the European Food Safety Authority indicates that broiler chickens are one of the primary sources of *Salmonella* infection. Reduction in human disease incidence in not expected to occur as a result of actions undertaken within the UK, as the UK National Control Programme is likely to keep *Salmonella*

prevalence in broiler flocks in the UK at the existing low level instead of reducing it further. Although potential benefits could arise from lowering the rate of *Salmonella* prevalence in EU countries that supply to the UK. Countries such as Portugal, Poland and Spain have high rates of salmonella prevalence at the present time.

Race /Disability/Gender

The NCP does not introduce any questions of equity or fairness.

Human Rights

The NCP is consistent with the Human Rights Act 1998.

Rural Proofing

Although the majority of producers and many suppliers are based in rural areas the NCP will not have a negative effect on the rural community.

Annex 1(b)

Legislation referred to in the Consultation

The Zoonoses Regulation 2160/2003 the "The Zoonoses Regulation"
http://eur-lex.europa.eu/LexUriServ/site/en/oj/2003/l_325/l_32520031212en00010015.pdf

Regulation (EC) No 1168/2006 on Community target for the reduction of *Salmonella*:
http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_211/l_21120060801en00040008.pdf

Regulation (EC) No 646/2007 on Community target for the reduction of *Salmonella* in broilers
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:151:0021:0025:EN:PDF

Decision (EC) No 2004/665 on protocol for layer survey:
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004D0665:EN:HTML

Regulation (EC) No 1260/2003 on import duties in the cereals sector
http://eur-lex.europa.eu/LexUriServ/site/en/oj/2003/l_177/l_17720030716en00090011.pdf

Regulation (EC) No 882/2004
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004R0882R(01):EN:HTML

Regulation (EC) No 776/2006 of 23 May 2006 amending Annex VII to Regulation (EC) No 882/2004:
http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_136/l_13620060524en00030008.pdf

All EU legislation can be viewed at:
http://eurlex.europa.eu/RECH_legislation.do?ihmlang=en

The Animal Health Act 1981
The Zoonoses Order 1989
The Animal by Products Regulations 2005 (implementing EU Regulation (EC) No 1774/2002)
The Control of Salmonella in Poultry Order 2007
The Zoonoses (Monitoring) (England) Regulations 2007
UK legislation can be viewed at: www.defra.gov.uk

Or printed copies of both EU and UK legislation can be obtained from (or emailed by):
zdri@DEFRA.GSI.GOV.UK
Tel: 020 7238 6125

Annex 2

TRANSPOSITION NOTE

The Control of *Salmonella* in Broiler Flocks Order 2009 implements:

(a) Commission Regulation (EC) No 646/2007 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain *Salmonella* serotypes in broiler flocks of *Gallus gallus* and amending Regulation (EC) No 2160/2003([6]);

(b) Commission Regulation (EC) No 1177/2006 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards requirements for the use of specific control methods in the framework of the national programmes for the control of *Salmonella* in poultry([7]).

The Secretary of State for Environment, Food and Rural Affairs proposes to rely, from 27 February 2009, on The Control of *Salmonella* in Broiler Flocks Order 2009, in respect of the transposition of the above legislation within England. A detailed transposition table is set out below.

The Control of *Salmonella* in Broiler Flocks Order 2009 ("The Broiler Flocks Order") does what is necessary to implement the Regulations made under Regulation 2160/2003. The Order does not go beyond their requirements.

Please note:

The responsibility for implementation of The Broiler Flocks Order falls to the Secretary of State. Enforcement of The Broiler Flocks Order will be the responsibility of local authorities unless directed otherwise by the Secretary of State.

Commission Regulation (EC) No 646/2007

Article	Objective	Implementation
1	Community target	The objectives of the Community target are achieved by The Broiler Flocks Order as well as existing legislation (The Zoonoses Order 1989) and administrative procedure.
2	Review	Transposition not required.
3	Amendment of Regulation (EC) No 2160/2003	Transposition not required.
Annex		Sampling and testing requirements transposed by The Broiler Flocks Order and The Zoonoses Order 1989 as well as existing administrative means: the laboratory approval scheme.

Commission Regulation (EC) No 1177/2006

Article	Objective	Implementation
1	Purpose of Regulation.	The objectives of the Decision are achieved by The Broiler Flocks Order.

([6]) OJ No L 170, 1.7.2005, p.12.
([7]) OJ No L 212, 2.8.2006, p.3.

2	Use of anti-microbials	Transposed through The Broiler Flocks Order
3	Use of vaccines	Transposed through The Broiler Flocks Order
4	Entry into force	Transposed through The Broiler Flocks Order