1971 No. 1593

POULTRY

The Poultry Carcases (Landing) Order 1971

Made - - - 28*th September* 1971

Coming into Operation 1*st October* 1971

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly in exercise of the powers vested in them under sections 1(1), 33(1), 45, 49(1) and 85(1) of the Diseases of Animals Act 1950(**a**), as adapted to air transport by section 11(1) of the Agriculture (Miscellaneous Provisions) Act 1954(**b**), and read with the Transfer of Functions (Animal Health) Order 1955(**c**) and all other powers enabling them in that behalf, hereby order as follows :—

Citation and commencement

1. This order may be cited as the Poultry Carcases (Landing) Order 1971, and shall come into operation on 1st October 1971.

Interpretation

2.—(1) In this order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them :—

"the Act" means the Diseases of Animals Act 1950 ;

"carcase" means the carcase of any poultry and includes part of a carcase, and the meat, bones, skin, offal or any other part of the bird, separately or otherwise, or any portion thereof ;

"fully cooked" when used in connection with a carcase means cooked throughout the whole of its substance so as to render it unnecessary for it to be further cooked before being used for human consumption ;

"the Minister" means, in the application of this order to England and Wales, the Minister of Agriculture, Fisheries and Food, and in its corresponding application to Scotland, the Secretary of State ;

"poultry" has the meaning assigned to it by section 84(2) of the Diseases of Animals Act 1950 (as extended by the Live Poultry (Restrictions) Order 1971(**d**)), and accordingly means live birds of the following species, that is to say, domestic fowls, turkeys, geese, ducks, guinea-fowls and pigeons and pheasants, partridges, and quails.

(2) The Interpretation Act 1889(**e**) shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament, and as if this order and the orders hereby revoked were Acts of Parliament.

(**a**) 1950 c. 36. For change of title of the Minister see S.I. 1955/554 (S.I. 1955 I, p. 1200).
(**b**) 1954 c. 39. (**c**) S.I. 1955/958 (1955 I, p. 1184).
(**d**) S.I. 1971/311 (1971 I, p. 1046). (**e**) 1889 c. 63.

Prohibition of landing of poultry carcases

3.—(1) The landing in Great Britain of any carcase from any country outside Great Britain other than Northern Ireland, the Republic of Ireland, the Channel Islands and the Isle of Man is hereby prohibited unless—

(*a*) the landing is authorised under the authority of and in accordance with a licence in writing issued by the Minister, or

(*b*) such carcase has been fully cooked.

(2) The prohibition contained in paragraph (1) of this Article shall not apply to any feathers.

Power to require re-exportation of carcases landed in contravention of this order

4. Any officer of the Minister may serve a notice on the owner or person in charge of any carcase which has been landed in contravention of this order, requiring the exportation of such carcase within such period as may be specified in the notice.

Licences

5.—(1) A licence granted for the purposes of Article 3 of this order shall be in writing and shall on demand be produced to any police officer, or any officer of the Minister or of Customs and Excise.

(2) Any such licence may be at any time revoked by the Minister, but without prejudice to anything done pursuant to the licence before revocation took place.

(3) Failure to comply with any condition of a licence issued under this order shall be an offence against the Act.

Revocation of orders

6. The orders set out in the Schedule to this order are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 23rd September 1971.

(L.S.)

J. M. L. Prior,
Minister of Agriculture, Fisheries and Food.

Gordon Campbell,
Secretary of State for Scotland.

28th September 1971.

THE SCHEDULE ABOVE REFERRED TO

The Poultry Carcases (Landing) Order 1955(a)
The Poultry Carcases (Landing) Amendment Order 1959(b)
The Poultry Carcases (Landing) Amendment Order 1963(c)

(a) S.I. 1955/147 (1955 II, p. 2052). (b) S.I. 1959/1787 (1959 II, p. 2208).
(c) S.I. 1963/2149 (1963 III, p. 4797).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order revokes and re-enacts with amendments the Poultry Carcases (Landing) Order 1955, as amended.

The principal provision of the new order is a prohibition upon the landing in Great Britain of any poultry carcase from any country outside Northern Ireland, the Republic of Ireland. the Channel Islands and the Isle of Man unless the landing is authorised by a licence granted by the Minister of Agriculture, Fisheries and Food or the Secretary of State for Scotland or unless the carcase has been fully cooked.