

# Consultation on the National Control Programme for Laying Flocks

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## Section 1

### Summary of the consultation issues

1. The Control of *Salmonella* in Poultry Order 2007 ('The Poultry Order') enforces a National Control Programme (NCP) for laying flocks that implements the requirements of EU Regulations 1168/2006 and 2160/2003. These Regulations set out enhanced monitoring and controls for *Salmonella* in laying flocks. By February 2008 all Member States will be required to have a NCP in place for laying flocks. The National Control Programme applies to all those who produce eggs on a commercial basis other than those exempted under EU Regulation 2160/2003.<sup>1</sup> It requires Competent Authority/operators to:
  - Reduce the prevalence of *Salmonella* of public health significance (*Salmonella* Enteritidis and *Salmonella* Typhimurium) in flocks of domestic fowl (*Gallus gallus*) on holdings in the UK producing eggs for human consumption at least to the target levels set out in Regulation (EC) No 1168/2006, which is an annual reduction of at least 10% in the number of positive adult laying flocks compared with the previous year. The starting baseline will be 8% for the combined prevalence for *Salmonella* Enteritidis and *Salmonella* Typhimurium.
  - Meet minimum sampling requirements during the rearing and laying stages.
  - Take specific control measures following the detection of *Salmonella* Enteritidis or *Salmonella* Typhimurium to protect human health. Such measures will include that from 2009 eggs originating from infected flocks cannot be sent for human consumption unless they are treated in a manner which guarantees the elimination of all *Salmonella* serotypes with public health significance from 2009, i.e. heat treated. In addition from November 2007 this requirement will apply to flocks when the eggs from the flock are linked to a foodborne outbreak of *Salmonella* in humans.

### What are the benefits of this National Control Programme?

2. The measures in the NCP are intended to be complied with by all producers in the Community, and third country producers exporting eggs to the Community. By 2009 when the requirement for heat treatment comes into force this should ensure that laying hens producing eggs direct for human consumption in all EU Member States have been tested for *Salmonella* Enteritidis and *Salmonella* Typhimurium. In addition from November 2007 this requirement will be applied to flocks when eggs from the flock are linked to a foodborne outbreak of *Salmonella* in humans. This will help to reduce human cases of *Salmonella* caused by eating infected eggs – thus reducing the costs of human *Salmonella* cases, such as time off work and healthcare. It should also enable the UK laying flocks sector to build on its success in the protection of human health and benefit from producers across the EU operating to standards which are consistent and comparable.

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<sup>1</sup> 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.

### **How will the National Control Programme achieve this?**

3. The NCP requires operators to implement the sampling programme specified in Regulation 2160/2003 and to verify the achievement of the target as detailed in Commission Regulation 1168/2006. Regulation 2160/2003 requires the collection from each individual house (flock) of birds (or group of houses if birds share a communal housed area) two samples by the operator during the rearing period (day old and 2 weeks before starting to lay eggs or being moved to the layer accommodation) and then every 15 weeks during the laying period. Regulation 1168/2006 requires that every 12 months one sample should be collected under the control of the Competent Authority (sometimes referred to as an Official Control Sample) from one flock on all holdings which have at least 1,000 laying birds on the holding. A sampling carried out under the control of the Competent Authority may replace one sampling at the initiative of the operator.

### **Why does the Regulatory Impact Assessment focus on the management of the sampling and controls in the NCP?**

4. The NCP sets out the controls and minimum sampling requirements of Regulations 2160/2003 and 1168/2006 and has been approved by the Commission. We cannot change the basic sampling and testing requirements of the Regulations. These requirements are directly applicable throughout the EU.
5. When the NCP was being drafted concern was expressed by industry representatives that it would lead to an increase in production costs. In particular the impact of the sampling requirements and controls on holdings where *Salmonella* has been detected. Defra recognises the success that many laying flock operators have had controlling *Salmonella*. As would be expected, the analysis of the implementation options for the official control sampling specifically focuses on the avoidance of undue financial burdens to industry. Defra is seeking to take a light touch approach to implementation which will limit government input in the sampling and testing programme to avoid unnecessary burdens (such as multiple inspections and form filling), whilst meeting the UK's obligations under EU law.

### **What are the likely costs of the National Control Programme to business?**

6. Costs are divided between baseline costs of the sampling requirements and those of control measures on infected holdings. Government will seek to recover costs for services provided in relation to official control sampling, where it is carried out by the Animal Health Agency (formerly State Veterinary Service), and for the examination of all official control samples by the VLA. Powers to recover costs from the start of the layer NCP for these services will be provided through an amendment to the Zoonoses and Animal By-Products (Fees) (England) Regulations 2007 (which is due to come into force during Summer 2007). A separate consultation on cost recovery in relation to official control samples for layer flocks will not be held.
7. The full costs to business are addressed in detail in the costs section. Headline figures are as follows:
  - The estimated annual cost to a keeper with 5 flocks and more than 1,000 birds is estimated to be £745.

- The estimated annual cost to a keeper with 1 flock of 500 birds is estimated to be £284.
- The total annual cost of implementation to the industry of the NCP is estimated to be £1.4 million.

### **Who is affected by this consultation?**

8. In order to help stakeholders determine if this consultation affects them or their members the following list (which is not necessarily exclusive) of those businesses or individuals that we think are most affected by the new rules:
- Organisations, individuals or groups in the production of eggs from domestic fowl for human consumption.
  - Organisations, individuals or groups responsible for the health and welfare of poultry.
  - Consumer and retail associations.
  - Government bodies and enforcement agencies.

The Poultry Order does not apply to other poultry eggs for human consumption (e.g. ducks, geese etc).

### **What are the key issues on which we are seeking views?**

9. The RIA seeks to explore how the implementation of the NCP can provide the best fit with the specific needs of disease control in the UK and with existing legislation. Issues on which the consideration of stakeholders would be especially helpful are:

**Do you agree with the analysis and the costs accompanying the options set out in the RIA?**

**Which of the proposed implementation options do you support?**

**Have any practical implementation options been left out?**

**Do you believe that there are ways which government can assist farmers improve biosecurity and meet the reduction target which have not been considered?**

## Section 2

### Initial Regulatory Impact Assessment

#### Title of the legislation and timetable:

**The Control of *Salmonella* in Poultry Order 2007** (“The Poultry Order”).

The Poultry Order implements the UK National Control Programme for layers (*Gallus gallus*).

This National Control Programme (NCP) will come into effect by February 2008 as required by the Zoonoses Regulation 2160/2003.

#### Legislation implemented by The Poultry Order

- Commission Regulation (EC) No 1168/2006 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain *Salmonella* serotypes in laying hens of *Gallus gallus* and amending Regulation (EC) No 1003/2005.
- Commission Regulation 2160/2003 on the control of *Salmonella* and other specified food-borne zoonotic agents. This provides for a Community target for the reduction of the prevalence of certain *Salmonella* serotypes in laying hens of *Gallus gallus* at the level of primary production. The Poultry Order provides for the establishment of NCPs in the breeding sector and layer sector of the poultry industry. The Poultry Order replaces and revokes The Poultry Breeding Flocks and Hatcheries Order 2007 (see background).
- Commission Regulation (EC) 1003/2005 implementing Regulation 2160/2003 on a Community target for the reduction of the prevalence of certain *Salmonella* serotypes in breeding flocks of *Gallus gallus* and amending the Zoonoses Regulation 2160/2003. The requirements of this Regulation were part of a consultation which was completed in November 2006.

#### Definition

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

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

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 **laying flock** means a flock of poultry kept for the production of eggs intended for human consumption;

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

**Poultry** means birds of the species *Gallus gallus*, turkey, ducks and geese.

**Laying hens** are *Gallus gallus* kept for the production of eggs for human consumption.

**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”.

## **Other legislation referred to in the Regulatory Impact Assessment**

See Annex 3

## **Purpose and intended effect**

### **The Objective**

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. A NCP has been introduced for breeding flocks and over the next three years NCPs will be introduced for broilers (2009), turkeys and fattening pigs (2010) and then breeding pigs in all Member States.
2. The layer NCP as enforced by The Poultry Order meets the requirements of EU legislation to reduce the level of *Salmonella* infection of public health significance on layer 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

laying hens 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 350 hens, and to some holdings with less than 350 hens.

### **Background – prevalence**

3. A survey of flocks of laying hens for *Salmonella* was carried out in each Member State from 2004-5. In the UK samples of faeces, litter and dust material were collected from 454 farms. The results of this survey were used to establish a baseline prevalence of *Salmonella* in laying flocks on holdings in individual Member States and for the EU Community as a whole. Member States with the highest prevalence figures are required to reduce their levels by the greatest proportion each year. The baseline figure for the UK was 8.0% for *Salmonellas* of public health significance. These are *Salmonella* Enteritidis and *Salmonella* Typhimurium. This put the UK in the group with the lowest prevalence levels (less than 10%) which was set a lower year-on-year improvement target. The prevalence in the UK will need to be reduced by 10% of the baseline figure each year from the start of 2008 for a period of 3 years. Member States were set a year-on-year reduction target according to the prevalence found in the survey: 20% reduction if the survey was 10% - 19%, 30% if between 20% and 39%, and 40% if 40% or above.

### **Background - legislation**

#### **The establishment of a baseline prevalence of *Salmonella***

4. 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. The breeding flock sector had met this target when the legislation was implemented.
5. 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 (layers, breeders, broilers and turkeys). Surveys were carried out in all Member States, between October 2004 and September 2005, in order to determine a baseline prevalence level for *Salmonella* Enteritidis and *Salmonella* Typhimurium on commercial layer flock holdings with at least 1,000 laying hens. A total of 5,310 holdings with validated results were included in the study analyses. In the specific Member States, the observed holding prevalence of *Salmonella* ranged from 0% to 79.5%. The European Food Safety Authority (EFSA) published the final report of this study in February 2007 following their preliminary report published in June 2006. The results of this survey work were used to set the reduction targets for EU Member States. Page 7 (paragraph 1.2.5) of the NCP provides detailed information on the UK results. In the UK 454 holdings were

sampled over a 12 month period. After the results were examined the baseline figure for UK was 8% for *Salmonella* Enteritidis and *Salmonella* Typhimurium (combined).

### **The Establishment of National Control Programmes**

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 as already stated will be revoked and replaced with The Poultry Order). This set out the official controls necessary to verify the target level set out in 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* Enteritidis, *Salmonella* Typhimurium, *Salmonella* Hadar, *Salmonella* Infantis and *Salmonella* Virchow) to be 1% or less by 31 December 2009. The breeding flock sector had met this target when the legislation was implemented.
7. The NCP for layer flocks follows on from the breeders NCP and will need to be in place for February 2008. By February 2008 all Member States are required to have a NCP for *Salmonella* for laying flocks in place which matches the standards of Regulation 2160/2003 and 1168/2006. This is intended to ensure a consistent approach to the reduction of *Salmonellas* of public health significance and equivalent protection of human health from eggs imported from other European Community Member States. As stated earlier over the next three years NCPs will also be implemented for broiler flocks and turkeys. Defra is working in partnership with key industry representatives to implement these NCPs.
8. Relevant current national legislation is described in page 15 (paragraph 2.2.0) of the NCP. The structure and organisation of the relevant Competent Authorities (CAs) is described in page 9 (paragraph 1.5.0) of the NCP.
9. The NCP for laying flocks was submitted for approval by the Commission in February 2007 after the setting of the reduction target by Regulation 1168/2006. Over the next 2 years, separate NCPs will be drawn up for broiler flocks of domestic fowl, for turkeys and then for fattening and breeding pigs. These will be implemented through separate schedules annexed to The Poultry Order and will be subject to separate RIAs.
10. Regulation 2160/2003 sets a general framework for control programmes which the NCP for layers 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 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 control measures to be taken following the detection of zoonoses and zoonotic agents, to protect public health. This includes the specific measures laid down in Annex II of the Zoonoses Regulation 2160/2003 when a laying flock is suspected of being infected with *S. Enteritidis* or *S. Typhimurium*
  - The registration of poultry operators and record keeping at farms.
11. There is already a requirement for laying flocks to be registered with the Competent Authority as required by The Registration of Establishments (Laying Hens) (England) Regulations 2003, and the equivalent legislation in Wales, Scotland and Northern Ireland.

#### **Establishment of *Salmonella* Reduction Targets**

12. The reduction targets are set by Regulations made under Regulation 2160/2003. The reduction target for breeding flocks was set by Regulation 1003/2005. Regulation 1168/2005 for layers:
- Sets the reduction target for positive adult flocks of domestic fowl (*Gallus gallus*) for the prevalence of *Salmonellas* of public health significance on holdings in the UK producing eggs for human consumption.
  - Sets out requirements and testing methods under the control of the Competent Authority to verify the achievement of the Community target.
  - Requires 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.

#### **Rationale for government intervention**

13. 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 laying hens in the UK producing eggs for human consumption. The current system involves voluntary monitoring with the requirement for all laboratories which isolate *Salmonella* from a laying flock or its environment to report the finding, and supply the isolate to the National Reference Laboratory to be recorded and analysed.
14. 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 establish the prevalence of *Salmonella* in layer 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 target of a 10% reduction in prevalence for three years is being met, government must ensure that all flocks are monitored for *Salmonella* in a regular and consistent manner.

15. The 2004/5 layer survey demonstrated that industry has been successful in controlling the prevalence of *Salmonella*. This is supported by other research which is available to government. A survey of retail eggs by the Food Standards Agency in 2003 tested 28,518 eggs and found that one in every 290 boxes of six eggs on sale had *Salmonella* contamination (on shells only), compared with 1 in 100 in a 1995/6 survey. The 2004 survey also found that *Salmonella* was not present in the contents of any of the eggs. Data from the Health Protection Agency on *Salmonella* levels in humans indicates cases of Salmonellosis linked by serotyping to UK produced eggs are reducing. Nonetheless, the layer survey revealed that *S. Enteritidis* and *S. Typhimurium* was present on 8% of UK holdings. Since the public cannot readily identify which eggs are infected with *Salmonella*, there is a need to minimise the possibility of infected eggs entering the human food chain and putting human health at risk.
16. 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 and those which will be required in government legislation. The Farm Assurance Schemes are expected to incorporate the sampling programme in their codes of practice.

## **Consultation**

### **Outside government**

17. Regular meetings have been held with major stakeholders in the UK poultry industry (including The British Egg Industry Council and the National Farmers Union) to discuss the requirements and implications of Regulation 2160/2003 and 1168/2006 for the layer flock sector and the draft NCP.

### **Within government**

18. 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. Colleagues from the Health Protection Agency have also contributed to this document.

## **Application and Scope**

19. The NCP applies to all of the UK and therefore this RIA considers UK wide costs. It was agreed that the structured nature of the UK laying 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 Poultry Order applies to England only, parallel legislation will be introduced in Wales,

Scotland and Northern Ireland. This SI will be made under the powers of the Animal Health Act 1981.

20. 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 Executive Environment and Rural Affairs Department (SEERAD).
21. There are around 20,000 holdings which produce eggs for human consumption in the UK. The NCP applies to all those who produce eggs on a commercial basis. Implementation will focus on producers which supply the highest proportion of eggs for human consumption. Census data indicates there are approximately 1,810 of these holdings. The scope and rigour of implementation is an important issue and is considered in detail in Annex 1 of this RIA.
22. Around 85% of eggs produced in the UK are covered by the voluntary industry operated (British Egg Industry Council) 'Lion Quality Scheme', which requires its members to vaccinate their layer flocks and to operate to specified hygiene standards. Some of the medium to small producers are covered by the United Kingdom Egg Producers Association (Laid in Britain Quality Assurance).
23. Organic producers are inspected and certified by approved organic inspection bodies. These are currently: Bio-Dynamic Agricultural Association, Irish Organic Farmers and Growers Association, Organic Farmers and Growers Ltd, Organic Food Federation, Organic Trust Ltd., Quality Welsh Food Certification Ltd., Scottish Organic Producers Association and Soil Association Certification Ltd. These bodies inspect for organic integrity rather than food safety issues so would not necessarily test for *Salmonella* on a routine basis.

## **Devolution**

24. As stated earlier this RIA covers the costs and benefits to the UK. However The Poultry Order will apply to England only. It is expected that parallel national legislation will be introduced by the Devolved Administrations.

## **Risk Assessment**

25. The immediate risk is that the failure to bring The Poultry Order into force could result in the absence of powers to enforce the monitoring and controls required to implement the NCP. 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 laying flocks of domestic fowl in Member States and could face infraction proceedings. Non-compliance would also reduce government and industry ability to ensure 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 egg movements within the EU, which would have a substantial cost to some egg producers.

## Sampling and testing requirements of the National Control Programme

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

Table 1

Production Stage	Current sampling required by Lion Code and other Farm Assurance Schemes	NCP requirements from 2008 per flock
<b>Chicks</b>	<ul style="list-style-type: none"> <li>1 Chick box liners</li> <li>2 Dead on arrival chicks</li> </ul>	<ul style="list-style-type: none"> <li>1. One chick box liner for every 500 chicks delivered. Up to maximum 10 for every batch of chicks delivered.</li> <li>2. Carcasses of all dead-on arrival chicks (maximum 60) from each hatchery delivery</li> </ul>
<b>Pullet rearing</b>	<ul style="list-style-type: none"> <li>• 60 cloacal swabs per house</li> <li>• 5 dust samples</li> <li>• 30 swabs from house before next flock</li> </ul>	2 pairs of boot swabs or large composite faeces sample: <ul style="list-style-type: none"> <li>• 2 weeks before point of lay/move to layer unit</li> </ul>
<b>During lay</b>	<ul style="list-style-type: none"> <li>• 60 cloacal swabs per house</li> <li>• 5 dust samples</li> <li>• 5 swabs from each house</li> <li>• 35 swabs from each house before next flock</li> </ul>	2 pairs boot swabs or 2 x 150g composite faeces sample taken at: <ul style="list-style-type: none"> <li>• 22-26 weeks of age</li> <li>• Every 15 weeks during production</li> </ul> <p>In holdings comprising 1,000 birds a sample should be collected under the control of the Competent Authority. <b>Such a sample will replace one by the operator.</b></p>

27. Cloacal swabs have been widely used by industry. Boot swabs are required by the NCP for sampling in non-caged units as this method was required by the protocol for the layer survey which sets the baseline that was used to set the target for reduction. It is considered to be most effective for *Salmonella* monitoring by the EU Commission and was also required for the breeding flocks NCP.

28. 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 large naturally pooled composite faecal samples, in the case of caged flocks, or boot swabs in the case of non-caged flocks. To further increase sensitivity dust was added. These samples include a much larger volume of material from a larger number of birds than can be gathered on 60 cloacal swabs or stick swabs taken from dust or house surfaces so the detection level is improved. In the survey of 2004-5 the protocol required that 5 composite faeces samples or 5 pairs of boot swabs and 2 large dust samples were taken in each house. This would be prohibitively cumbersome and expensive for normal use, hence a programme of repeated

sampling using 2 faecal or 2 pairs of boot swabs samples every 15 weeks was agreed.

### **Operator Sampling**

#### Rearing flocks

- Day old chicks, and two weeks before moving to laying phase (all flocks on holding).

#### Laying flocks

- Every 15 weeks during laying phase, starting when the birds are 22-26 weeks of age (all flocks on holding).

29. Regulations 1168/2006 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.
30. 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, the age of the flock sampled, the laboratory which undertook the analysis. The results of the tests should be made available to the Competent Authority or its agent.

### **Sampling under the control of the Competent Authority**

#### Laying flocks

- In one flock per year on holdings which have at least 1,000 birds.
31. 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 layer flock on each holding with more than 1,000 birds during the period of production of eggs for human consumption as specified in 2.1 of Annex to Commission Regulation (EC) No 1168/2006. Sampling carried out under the control of the CA may replace one sampling at the initiative of the operator.
  32. These samples consist of 2 pairs of boot swabs or 2 x 150g faeces samples from caged flocks in addition to one 100 gram sample of dust (or if insufficient dust is present, an additional sample of pooled faeces, or an additional pair of boot swabs or socks). Page 12 (paragraph 1.8.0) of the NCP describes these requirements in further detail.

33. The use of antimicrobials (as defined in Regulation (EC) No 1177/2006) will be checked when the official sample is taken. If the flock is 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. These are described in page 14 (paragraph 2.1.0) of the NCP.
34. The records of samples taken by the operator will be made available for inspection to the Competent Authority or its agent and provide details of date of sample, type of sample, laboratory carrying out the examination, and the result.

### **Application of the requirements of the National Control Programme**

35. Article 1 of Regulation (EC) 2160/2003 specifies which holdings can be excluded from the official controls.<sup>2</sup> The NCP covers almost all operators producing eggs direct for human consumption on a commercial basis. Exceptions include where production is for private domestic use or where eggs are supplied in small quantities directly to the consumer such as farm gate sales.
36. There are around 20,000 holdings which produce eggs direct for human consumption. 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 focus its resources on industry sectors 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. Around 90% of all the eggs produced in the UK direct for human consumption come from 3,000 laying flock holdings and most of those come from a much smaller number of very large holdings. These 3,000 holdings are required to register under The Registration of Establishments (Laying Hens) (England) Regulations 2003, which covers all holdings with more than 350 hens.
37. It is proposed that, in terms of auditing performance against the requirements of the NCP, government focuses efforts on the 3,000 holdings which are required to register under The Registration Regulations, while retaining the powers to investigate any holding, irrespective of size, on which it is considered that there may be increased risk of eggs for direct human consumption being produced from infected flocks.
38. We realise that the enforcement of the NCP is an important issue for industry and consumers as well as government. We would be interested to hear the views of all consultees on the approach to auditing compliance. Annex 1 sets out the assumptions behind this approach in detail.

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<sup>2</sup> 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.

## Options for management of the National Control Programme

39. The implementation options below focus on the collection, testing and auditing of operator and Competent Authority (CA) samples required by Regulations 1168/2006 and 2160/2003. The Annex to Regulation 1168/2006 requires that sampling by the Competent Authority should take place annually. This implies that government or a Control Body acting on the government's behalf should play a substantial role in the collection of these samples.
40. If Options 2 and 3 are adopted the agent of the CA with overall responsibility for monitoring the implementation of the NCP will be staff from the State Veterinary Service (SVS) and Egg Marketing Inspectorate (EMI). On 1 April 2007 these bodies were merged into a single agency which is known as "Animal Health". If Option 4 is adopted these responsibilities will come under the remit of an Independent Control Body (IBC). Some of the costs and assumptions in this RIA require a differentiation between the functions of staff who prior to the re-organisation would have been referred to as either SVS officials or EMI officials. In this context these terms have been retained. However when discussing the future arrangements for implementation of the NCP it is more useful to refer to "Animal Health". 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 an Independent Control Body (if such a body is established).
41. The Poultry Order as drafted enforces the minimum sampling and record keeping requirements of the EU legislation. Whichever option is implemented government would retain full powers to collect samples and check records if required to implement the NCP. Under existing arrangements all samples under the control of the Competent Authority are tested at an approved laboratory. It should also be noted that all the implementation options have been developed and costs have been estimated on the assumption of full cost recovery.

**Option 1 – do nothing (continue with sampling and testing under current voluntary arrangements)**

**Option 2 – for auditing and CA sampling to be under the direct control of government**

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

**Option 4 – for an Independent Control Body to conduct auditing and CA sampling.**

**Option 1 – do nothing (continue with existing controls and support for voluntary industry schemes).**

42. The measures required by Regulations 2160/2003 and 1168/2006 cannot be implemented through current legislation and administration. It is possible that a number of the larger producers, in particular those which export eggs, might be willing to adopt the controls on a voluntary basis. However, unless government can ensure that the controls and testing by all eligible producers meets the new requirements on a voluntary basis, England will fail to have the same public health measures in place as those that will be implemented in other Member States.
43. Secondly, failure to implement the NCP – or partial implementation – would be a breach of Community obligations as well as a potential threat to public health. The NCP for breeding flocks establishes comprehensive monitoring and controls which should minimise the risk of *Salmonella* being brought onto holdings from breeding farms. Non-compliance would prevent the laying flock sector from reinforcing and benefiting from the NCPs which have been established for breeding flocks and which will be put in place for broilers and turkeys.
44. The results of the EU wide survey of laying flocks indicate that industry and government actions to control *Salmonella* over recent years have contributed to a relatively low baseline level for the UK. 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, who could be prevented from trading their eggs to EU Member States. In 2006 the UK traded approximately £19 million worth of eggs for human consumption and egg products to the EU (of which approximately £15 million worth were eggs in shell for human consumption). Although some of these eggs would be redirected into domestic consumption, this may result in them losing some value.
45. Finally although the current prevalence of *Salmonella* on layer holdings is relatively low, it could still represent a reservoir for potential dissemination and amplification of existing and “new” *Salmonellas*, which could be a future public health concern. Large sites in particular provide a possible focus of infections. It should also be noted that improved hygiene and biosecurity to reduce *Salmonella* can be beneficial for wider disease control purposes.

**Option 2 – for auditing and sampling by the CA to be under the control of government.**

46. This option would ensure a comprehensive system which could be managed directly by government and minimise possibilities for non-compliance. It is also the one which is likely to make the highest demands on government resources. In England there are 1,310 holdings (increasing to 1,561 for all of UK) with over 1,000 hens which are eligible for the collection of CA samples. A further 400 holdings with fewer than 1,000 hens (but with more than 350) will not meet the threshold for CA sampling but will be covered by the NCP and will need to be regularly audited for the collection of operator samples.
47. There is scope for controlling these costs by combining visits to collect CA samples and conduct audits on operator sampling with other on-farm inspections for the

grading of eggs. The Egg Marketing Regulations cover all producers of eggs intended for sale as Class A. Most of the larger holdings can expect an annual visit from Egg Marketing Inspectors (now employed by the Animal Health Agency – no longer the Egg Marketing Inspectorate). Regular farm visits would be an opportunity for officials to collect information and identify risks which could be reported back to the VLA and allow specialist input to improve biosecurity and avoid possible infection.

48. If this option were adopted government would need to take account of the logistical problems associated with the auditing of operator samples from egg producers which are not regularly visited by the EMI (including those which do not produce eggs for the purposes of grading). For these holdings inspections would probably be risk based (as described in Annex I on the enforcement of the NCP). In practice inspectors would select holdings for “spot checks” according to the history of the holding and the retail outlets they supply.

**Option 3 – for responsibilities for the management and auditing and of the NCP to be shared by government and industry.**

49. Under this option government would retain full responsibility for the monitoring and controls required by The Poultry Order. However management of the auditing and collection of CA and operator samples would be shared jointly by government and industry. In practice companies with a consistently good history of biosecurity might be authorised to collect CA samples in accordance with Regulation 1168/2006, despatch them to an approved laboratory for testing; and use their existing auditors to confirm compliance with the operator sampling.
50. This option would involve government working with individual farms, whereas Option 4 would require government to work with a Control Body. If properly implemented it could combine the rigour of Option 2 with the flexibility of Option 4. 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 for government. 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.
51. To verify that the sampling was taking place as set out in the NCP, auditing “spot checks” could be initiated by government. Furthermore the samples will be sent to an approved laboratory which would enable checks on the quality of samples. Under the Zoonoses Order 1989 laboratories are compelled to report positive samples to the CA. Controls on *Salmonella* positive farms would then be put in place. Sampling and testing work conducted to investigate a holding where the presence of *Salmonella* is suspected (as in Annex to Regulation 1168/2006) would be overseen by the CA as a standard procedure.

52. It should also 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. Such an approach could not be implemented until producers have 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. Instead the onus would be on laying flock companies to produce their own case for greater independence. This would be contingent on an adequate information flow on sampling and transparent processes.

#### **Option 4 – for an Independent Control Body to conduct auditing and CA sampling.**

53. There is scope under the Official Feed and Food Controls Regulation (Regulation (EC) No. 882/2004) for the delegation of specific tasks related to official controls to Independent Control Bodies, if it can be demonstrated that such a body has, amongst other things, sufficient expertise and independence to carry out the tasks. This option requires any prospective organisation to demonstrate that it can:

- Meet the criteria in Regulation 882/2004 for the delegation of specific tasks relating to official controls – including accreditation to EN 45004 or a more relevant standard.
- Take responsibility for the supervision of the collection of official samples and the auditing of operator samples.
- Ensure an exchange of information with the CA which includes reliable data on the audits of operator samples, the collection of CA samples and regularly updated lists of holdings covered.
- Take part in audits by the CA and the Food Veterinary Office.
- Remain free from any conflict of interest with the companies it covered.

54. If this option was implemented it would mean that although Defra/SVS/EMI would be the CA for the NCP, a non-government organisation would be accredited to act as the Control Body 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 bodies specific to each of the sectors of industry. These might be:

- Farmers covered by the Lion Code (British Egg Industry Council).
- Organic farmers certified by appropriately accredited organic inspection bodies.
- Non-affiliated farmers who do not belong to accreditation schemes.

55. These bodies would be covered by protocols with the CA to enable proper monitoring and auditing. Their respective roles could be expanded as the National Control

Programmes for the different sectors came into force. For instance the organisation contracted to BEIC might cover, breeding flocks and layers.

56. The role of the CA would be to ensure that the Independent Control Body was managing the monitoring and controls to an acceptable standard. This would be contingent on regular external appraisal by Defra (or Animal Health), possibly through a programme of on the spot auditing at layer farms and other relevant stages of production.
57. If properly managed by industry this option could offer the rigour of Option 2 with the flexibility of Option 3. Since an Independent Control Body would be likely to operate through one of the Farm Assurance Schemes it might encourage industry acceptance of the case for regulation and give a sense of ownership of the NCP. However it must be accepted that not all producers will see an advantage in joining an Independent Control Body which was supported by a Farm Assurance Scheme. Although government could oblige producers to use such a service, it is unlikely that the industry organisation would agree to such an obligation, which would take away any element of competition. Therefore the potential saving to government resources might be limited by the need to set up a parallel control and auditing system for these producers.

## **Benefits and Costs**

58. There would be human health benefits to society as a whole of effective sampling practice and action as detailed in the legislation to reduce further the risk of *Salmonellas* of public health significance entering the food chain. 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.
59. The success of the control programme in breeding flocks means that the day old layer chicks placed on farms should be free of *S. Enteritidis* and *S. Typhimurium*. Whichever of the options from 2 to 4 that can be successfully implemented they should enable the layer flock sector to be part of an integrated approach to food safety through adequate and harmonised monitoring and controls across the EU. In this way our industry and consumers should be able to benefit from other Member States implementing this legislation and reaching their targets.

## **Costs**

60. 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 include charging by government for services in relation to official control sampling where provided by Animal Health and the VLA. More details are provided in the section on cost recovery.

**Please note that the costs in this section are estimates only.**

## Rearing flocks

61. Samples should be collected on two occasions from the rearing flock. Assuming that there will be one flock per holding the cost will be:

£32.00 x 2 for collecting the samples (assuming 2 hours per flock of operator time)

£18.50 x 2 for testing the sample (1 pooled sample per flock)

£1.50 x 4 for sampling equipment (2 samples per flock)

**Total:** £107.00 for two sampling occasions for one rearing flock

62. For the purposes of this RIA it is assumed that it will be possible to check that sampling and testing is taking place at rearing flocks when auditing the laying flock holding. Producers currently operating under the Lion Code are expected to only accept rearing flocks accompanied with a “passport” that confirms that the rearing farm belongs to the Lion Code and complies with its testing requirements. A similar auditing system could be adapted for the requirements of the NCP.

## Laying flocks

63. Samples should be collected from each flock on a holding every 15 weeks during the production phase. It is assumed that there will be three annual operator sampling occasions. On each sampling occasion for a holding with 5 flocks the cost is estimated at:

£1.50 x 10 for equipment to collect the ten samples

£18.50 x 5 for testing the five pooled samples

£16 x 2 for operator time

Assuming the holding has 5 flocks all the above estimates are multiplied by 2.8 (one flock tested twice, four tested three times)

**Total:** £139.50 per sampling occasion. £390.60 per annum.

## Costs of Option 1

64. There would be no additional costs to industry or government from sampling, auditing or controlling eggs from infected flocks under Option 1 (apart from farmers who adopted the NCP on a voluntary basis). However, there is a risk that the UK egg industry could incur costs if UK egg exporters could not trade with EU Member States, and it would not fulfil government’s obligations to EU legislation.

## Costs of Option 2

65. It is assumed that in the UK approximately 850 holdings with *fewer* than 1,000 birds, and 1,630 holdings with *more* than 1,000 birds will be required to conduct operator sampling. All premises will need to be audited. It is assumed a further 480 operators of rearing holdings will be required to sample their birds at day old, and just before moving to laying accommodation.

66. The costs of sampling are estimated to be £18.50 per sample for laboratory testing (one pooled sample required from each flock), £16 per hour for operator time (assume two hours is required per holding on each sampling occasion), £1.50 for equipment to collect samples (assume two sets per flock) and a total of £150 for Animal Health time (a base fee, plus a charge per half hour for two hours) when Competent Authority sampling is required. For those keepers who are already sampling to the requirements it is assumed that only the additional costs of the legislation are incurred (any extra testing occasions, the costs of AH time etc). For example, members of the Lion Code already sample flocks just before depopulation.
67. The administration costs for operators include the cost of familiarisation with legislation (two hours per annum at £16 per hour), the costs of keeping records of test results (six hours per annum), the costs of accompanying inspectors around the unit (two hours per annum) and the cost of producing records for inspection (half an hour per annum).
68. Estimates of the costs for official control sampling for layers are based on charges due to be applied to breeding flock holdings from August 2007. Table 2 below sets out the basis of the proposed charges.

Table 2

Service provided	Service provider	Unit costs
Taking or supervising the taking of official control samples	Animal Health where not carried out by the Independent Control Body	Base fee £32 plus investigation fee of £23 per ½ hour (or part thereof)
Examination of Official Control Samples	Veterinary Laboratories Agency	£18.50 per sample

On the basis of the above assumptions the estimated annual cost to a keeper with 5 flocks and more than 1,000 birds is estimated to be £745.

<p><b>Operator testing:</b>            £1.50 x10 for equipment to collect the ten samples            £18.50 x5 for testing the five pooled samples            £16 x2 for operator time</p> <p>All above multiplied by 2.8 (one flock tested twice, four tested three times)</p> <p><b>CA testing:</b>            £46 x2 + £32 for two hours of Control Body time (plus base fee) to take samples and audit            £1.50 x2 for equipment to collect two samples            £18.50 to test the pooled sample</p> <p><b>Admin burden:</b>            £200 (familiarisation with requirements, keeping records etc explained at the beginning of paragraph 67)</p> <p><b>Total: £745</b></p>
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The estimated annual cost to a keeper with 2 flocks and a total of more than 1,000 birds is estimated to be £496 per annum.

**Operator testing:**

£1.50 x4 for equipment to collect the four samples

£18.50 x2 to test the two pooled samples

£16 x(2/5) x2 for operator time (since it is assumed it takes two hours for a 5 flock holding it is assumed it will take two fifths of this time for a 2 flock holding)

All above multiplied by 2.5 (one flock tested three times, one two)

**CA testing:**

£46 x2 + £32 for two hours of Control Body time (plus base fee) to take samples and audit

£1.50 x2 for equipment to collect two samples

£18.50 to test the pooled sample

**Admin burden:**

£200 (familiarisation with requirements, keeping records etc explained at the beginning of paragraph 67)

**Total:** £496

The estimated annual cost to a keeper with 1 flock of 500 birds is estimated to be £284.

**Operator testing:**

£1.50 x2 for equipment to collect the two samples

£18.50 x1 for testing the pooled sample

£16 x(2/5) for operator time (since it is assumed it takes two hours for a 5 flock holding it is assumed it will take a fifth of this time for a 1 flock holding)

All above multiplied by three (three test occasions per year)

**Admin burden:**

£200 (familiarisation with requirements, keeping records etc explained at the beginning of paragraph 67)

**Total:** £284

The increase in costs to keepers who are, for example, members of an assurance scheme and are already sampling to the required specifications will be less.

**The total annual cost of Option 2 is estimated to be £1.7 million, of which £320,000 is the estimated administrative burden.**

### **Costs of Option 3**

69. The costs of operator sampling will be the same as under Option 2. However, it is assumed that, for Competent Authority sampling, those producers that would be allowed to take samples themselves would not incur any costs of Animal Health time, nor the time accompanying Animal Health inspectors. For the purposes of roughly estimating the costs of Option 3, it is assumed that 50% of producers would be allowed to do this – although the actual number will depend on the criteria used to select them and compliance rates which are currently unknown.

**The total annual cost of Option 3 is therefore estimated to be £1.4 million, of which £265,000 is the estimated administrative burden.**

#### **Costs of Option 4**

70. If CA sampling and auditing of operator samples are handled by an Independent Control Body charges will be between the organisation and its members. The Control Body may aim to undercut the charges set by government and be able to achieve efficiencies that would allow lower charges to be levied than those set by government. The costs of operator sampling will be the same as under Option 2. However, it is assumed that, for Competent Authority sampling by an industry Control Body, the costs of Control Body time would be half those of Animal Health time. For the purposes of roughly estimating the costs of Option 4, it is also assumed that all producers would choose this cheaper option, and use the Independent Control Body for their Competent Authority testing.
71. It may however not be appropriate to assume that an Independent Control Body would be able to offer a cheaper service to farmers than the Competent Authority in all cases. If, as seems likely, the organisation was established by a Farm Assurance Scheme it might charge for special journeys to those producers which were not members of the scheme and to whom it would not normally make auditing visits. Indeed the main advantage of the Independent Control Body for operators could be convenience rather than price. For instance membership of a Farm Assurance Scheme which was allied to an Independent Control Body would ensure full compliance with the NCP without the possibility of more frequent inspections and auditing requests from government. This might be especially useful in circumstances where it is not possible to combine CA sampling visits, with those to check compliance with the Egg Marketing Standards.

**The total annual cost of Option 4 is therefore estimated to be £1.4 million, of which £320,000 is the estimated administrative burden.**

#### **Comparison of the costs of Options 2-4**

	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>
<b>Cost (million)</b>	<b>£1.7</b>	<b>£1.4</b>	<b>£1.4</b>
Of which admin burden	£320,000	£265,000	£320,000

#### **Cost Recovery**

72. Breeding flock operators have been charged for the collection and testing of official control samples by government inspectors since the introduction of The Poultry Breeding Flocks and Hatcheries Order 1993. The introduction of new legislation to enforce the NCP for breeding flocks, The Poultry Breeding Flocks and Hatcheries Order 2007, has meant that powers that would enable government to recover its costs for services provided under this Order have lapsed. A new charging scheme, enabling government to recover costs in full for the collection and testing of official control samples, is due to be introduced during summer 2007. This charging scheme will be enforced and enabled by The Zoonoses and The Animal By-Products (Fees) (England) Regulations 2007 ("The Fees Regulations"). The charging scheme also

includes charges in relation to laboratories operating under The Poultry Breeding Flocks and Hatcheries Order 2007 and The Animal By-Products Regulations 2005.

73. It is our intention to amend The Fees Regulations to coincide with the introduction of the NCP for laying flocks. This amendment would enable the recovery of the costs to government resulting from any testing and collection of official control samples from laying flock operators carried out by government inspectors. Further amendments to The Fees Regulations are planned to coincide with the introduction of NCPs for broilers, turkeys and pigs over the next few years for cost recovery for government services.
74. It is Defra's policy to ensure that any charges placed on food producers avoid providing either a subsidy to producers or a source of taxation to government. The fees placed on laying flock operators will seek to recover costs incurred by government for services provided. It is our intention that all charges will be reviewed annually to reflect changes in the costs borne by government. The reviewed charging levels will be developed in consultation with key industry representatives through an agreed procedure and will then be published on the Defra website and distributed through appropriate communication channels.
75. Although formal consultation for The Fees Regulations has not taken place a Regulatory Impact Assessment was produced and circulated to key industry representatives. A detailed breakdown of how each charge had been derived was provided in an Annex to the RIA.
76. There are many similarities in the services provided in relation to the NCPs for breeding flocks and laying flocks. The proposed charges for breeding flocks, as set out in the RIA for The Fees Regulations (available on request), have been used as a basis for estimating charges in relation to laying flocks.
77. The charge for the collection of official samples by Animal Health inspectors from an average breeding flock holding is estimated to be between £170 and £308. The proposed charge for the testing of official samples by the National Reference Laboratory is £18.50 per sample. Competent Authority sampling for laying flocks is neither as rigorous (one flock against all flocks), frequent (once per annum as opposed to up to three times per annum) or sensitive (two boot swabs as opposed to five). Nonetheless for the estimation of Competent Authority sampling costs in this RIA we have assumed the highest of the cost ranges which has been set at £150. This is based on a £32 base fee and two hours for sample taking and audit at £23 per half hour, plus testing of official samples at £18.50 per sample as indicated in Table 2. This does not take account of possible efficiency savings from combining a visit for official sampling with existing visits by Egg Marketing Inspectors. It will be an important part of our implementation strategy to look for potential savings, and Defra will work closely with delivery agencies to avoid additional farm visits. Furthermore since the charges could be adjusted according to time spent on farm they will reflect the level of co-operation and assistance received from operators.
78. There is also potential for government (or the Control Body) to recover the administration and running costs of checking systems to ensure compliance with operator sampling. The time spent auditing the collection of 15 week samples may vary from farm to farm. For a detailed description of the costs which will be taken into

account when the charges for CA samples will be set, see Annex A of the RIA to The Fees Regulations which is available on request.

### **Options for cost recovery**

79. Government costs for disease control services are usually recovered by directly invoicing the holding where the inspection took place. The charges placed on hatcheries for the collection of monthly samples by Animal Health under The Poultry Breeding and Hatcheries Order 1993 is an example with which many stakeholders in the poultry industry will be familiar. This is likely to be our initial arrangement for the recovery of costs for the collection of CA samples. However the cost of the collection of relatively small sums of money from individual holdings can lead to administrative costs outweighing the amount collected. Neither industry nor government will benefit from such a situation. We are looking for the most efficient system and would welcome the views of stakeholders on whether the collection of fees from other points might be more effective. It may be possible to move to new arrangements over time. Below are three initial suggestions which should not be considered to be mutually exclusive:

#### **For costs of CA samples to be recovered on holdings**

80. As already stated holdings would be the most obvious place for the collection of charges in relation to the NCP for layers. This approach could ensure a link between good farm management and costs for on-farm visits, as lack of co-operation from operators requiring (for instance) repeated appointments to collect CA samples and check records would increase charges. Charges to operators of only one CA sample will not be onerous. However the large numbers of holdings from which samples should be collected and from whom costs should be recovered might lead to a high administrative burden for the collecting body, which is likely to be Animal Health.

#### **For costs of CA samples to be recovered at packing stations**

81. This option could be easier to administer for government and may reduce costs for individual laying flock operators. In the UK there are about 1,400 packing stations against 1,561 holdings (1,310 England) eligible for CA sampling. On about 1,100 of these eggs are produced on the holding for grading and marketing. However the recovery of costs would be likely to apply to those packing stations (about 150) which only receive eggs from other producers. Some of these non-producer packers are wholesalers who are registered solely to re-pack. Of these it is possible that not more than 25 would receive eggs from a significant number of producers and the administrative costs of collecting fees would be minimised. Such a system might be of particular convenience to members of the Lion Code who supply many of the larger packing stations where it would be possible for fees to be collected. The stations would be able to place a charge on producers who regularly supply a specified number of eggs.

#### **For costs of CA samples to be recovered through Farm Assurance Schemes**

82. Under this arrangement a Farm Assurance Scheme could agree to pay the Competent Authority a fixed sum for the collection of official samples on behalf of its members. The Farm Assurance Scheme would then be able to collect this money

from its members (possibly through a surcharge on its membership fee). For members of the Farm Assurance Scheme it would have the potential to reduce charges by removing or limiting the component of the fee for government administration (i.e. processing invoices).

#### **For costs of CA samples to be recovered at hatcheries**

83. In the UK there are about 15 hatcheries for layers compared with 1,561 laying farm holdings eligible for CA sampling. Fees were collected under The Poultry Breeding Flocks and Hatcheries and The Animal By-Products (Fees) (England) Order 2002 for the sampling on a monthly basis for *Salmonella* testing under The Poultry Breeding Flocks and Hatcheries Order 1993. Hatcheries were invoiced by the State Veterinary Service (now Animal Health) for the collection of samples and by the Veterinary Laboratories Agency for testing. This system proved to be cost effective and relatively easy to administer.
84. It has been suggested that every time a quantity of eggs (1,000 eggs) are hatched and despatched (chicks for laying purposes) in the UK the hatchery could be charged a set amount – a surcharge. This could be partly/mostly recovered by the hatcheries from the farms. Such a system has the potential to be easy to administer for government and reduce costs to individual producers.

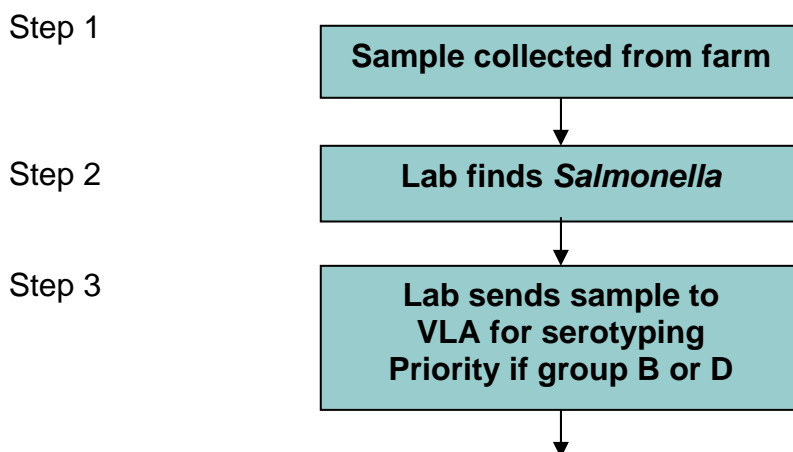
#### **Measures to be taken by the Competent Authority if *Salmonella* is detected on a holding**

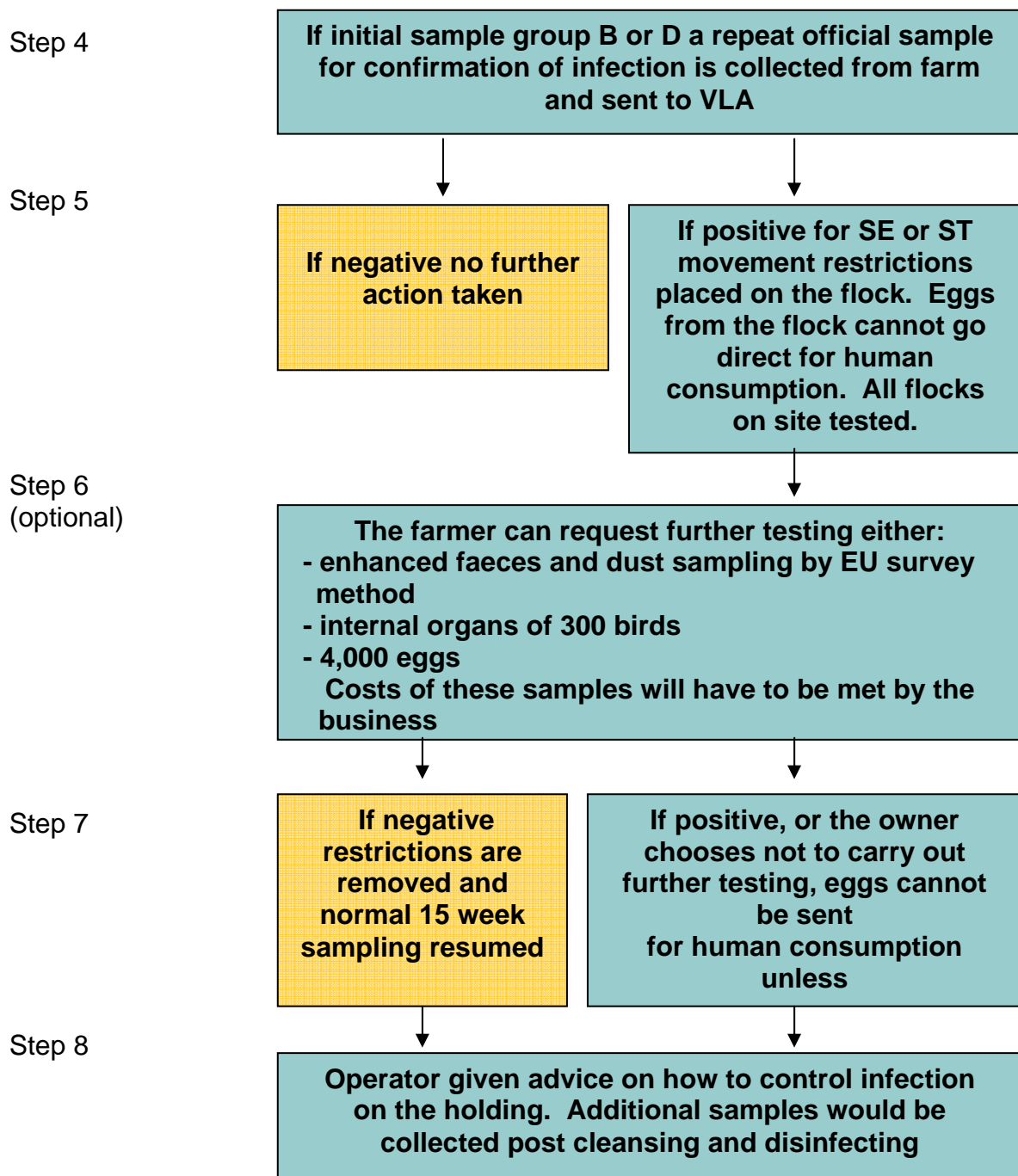
85. Regulation 2160/2003 prohibits the sale of eggs from flocks infected with *S. Typhimurium* or *S. Enteritidis* to consumers unless “treated in a manner that guarantees the elimination of all *Salmonella* serotypes with public health significance” (i.e. heat treated). From 1 January 2009 the NCP will require those holdings which are found to be positive for *Salmonella* Enteritidis or Typhimurium will not be able to sell eggs for human consumption unless they have been marked as Class B and the sale of fresh eggs from these flocks is restricted accordingly. The marking of these eggs can be done on farm. There are no plans for government to provide compensation for operators who choose to depopulate or slaughter their infected flocks. Eggs from infected flocks can be disposed of via food processors in line with the requirements described in SANCO/1188/2006r11 which requires that the eggs are:
  - (a) considered as Class B eggs as defined in Article 2(4) of Commission Regulation (EC) No [AGRI/2007/60969];
  - (b) marked with the indication referred to in Article 10 of Commission Regulation (EC) No [AGRI/2007/60969], which clearly distinguishes them from Class A eggs prior to being placed on the market.
  - (c) prohibited access to packaging centres unless the Competent Authority is satisfied with the measures to prevent possible cross-contamination of eggs from other flocks.

86. The reduction of *Salmonella* at farm level is the most effective way of controlling the potential costs to industry. During the survey of laying flocks the VLA analysed data collected by the SVS to identify risk factors which made holdings vulnerable to infection. This involved the recruitment of holdings which were found to be positive for *Salmonella* Enteritidis and Typhimurium to look into the variables associated with on-farm *Salmonella*. The VLA also assessed the data from voluntary questionnaires which provided information on 204 visits by the SVS to collect samples. Other information which was available to Defra from existing research and surveillance in the layer flock sector and from cases of *Salmonella* Enteritidis in humans was used to put the layer survey data in context.
87. This research has highlighted steps which can be taken for reductions in *Salmonella* prevalence in the national flock to be delivered to the NCPs timescale. These include effective vaccination practices, cleansing and disinfection between flocks, rodent and other pest control and increased biosecurity for feed and water. These measures will take time and money to put into effect. The length of time a flock is in production (one year) limits the opportunity to take action to eliminate contamination in houses, which is only possible when a flock has been depopulated. Consequently the reduction of *Salmonella* in layers at the farm level is likely to be a gradual process.
88. Defra intends to continue to work in partnership with industry to help reduce the level of *Salmonella* on infected flocks before heat treatment is required in 2009. Work has begun on the production of new and revised versions of existing codes of practice which will take account of the most recent research. These cover risk management measures such as the vaccination of flocks, controls on cleaning and disinfection, and pest control. The relevant Codes of Practice are listed in Annex 2. Defra is also working with the Food Standards Agency to provide advice to operators on other measures which can be taken, including advice on the storage and transport of animal feed.
89. The British Egg Industry Council intends to update the Lion Code to include the requirements of the NCP. Around 85% of UK egg production is covered by the Lion Code.

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

The following procedures will be followed if *Salmonella* Enteritidis or *Salmonella* Typhimurium is suspected on a holding from 2009:





**Holdings linked to specific *Salmonella* food-poisoning outbreaks**

90. Eggs will require heat treatment from November 2007 if an epidemiological link was conclusively established between a foodborne outbreak and eggs from a flock infected with any strain of *Salmonella* (not just *S. Enteritidis* or *S. Typhimurium*). Demonstrating a definite link between an outbreak of *Salmonella* in humans with eggs from a specific holding requires detailed investigation. In coming years better techniques for tracing *Salmonella* may develop. For the RIA we will assume that one holding per annum will be linked to a specific outbreak. The estimated costs for an

affected holding are the same as those set out below for measures taken if *Salmonella* Enteritidis or Typhimurium is suspected on a holding.

### **Costs of measures taken if *Salmonella* Enteritidis or Typhimurium is suspected on a holding**

91. Given the current prevalence rate of 8% indicated in the *Salmonella* baseline survey, it is anticipated for the purposes of this RIA that there will be approximately 200 infected holdings identified in the first year. In following years, this figure will fall, assuming the target of a 10% reduction each year is met, to 7.2%, then 6.5% and finally 5.8% (approximately 145 holdings). There is no firm information on the number of infected flocks on an infected holding, so we have used a VLA estimate, based on limited studies, that 65% of flocks on a positive holding would be infected. It should also be noted that because of the lesser sensitivity of private sampling against the methods used for the *Salmonella* survey it is likely that the actual figures will be lower.
92. Affected holdings will have to repeat an official sample from all flocks on the holding, which is estimated to cost £380 per suspected holding (including Control Body time, operator time, laboratory costs and equipment). This will be paid for by government. Assuming this is found to be positive as well, then the supply of untreated eggs into the human food chain will be prevented from the infected flocks. However farmers will be offered the option of requesting the collecting of additional samples to demonstrate that the infection is not present. The owners will be expected to meet the cost of these samples.
93. If infection is confirmed the keeper of the flock then has to decide whether the eggs can be disposed of and destroyed, or sent for heat treatment and whether the flock should be culled and replaced. If the eggs were disposed of, the farmer would incur the costs of disposal (£0.07 per dozen), and the loss of the value of the eggs (currently £0.55 per dozen). For a farm with 30,000 birds and five flocks, of which three were infected during a year, the cost of disposal is estimated to be £130,000 per year. This will depend on the stage during production that the infection is found: this estimate assumes that each infected flock has a remaining laying period of six months. Experience indicates that the period when infection in flocks is most likely to be identified is at the beginning and the end of lay.
94. If the eggs went for treatment, the loss to farmers would be approximately £0.21 per dozen eggs (as against a loss of £0.55 plus £0.07 per dozen eggs for disposal). For the same farm with 30,000 birds and the same assumptions as above, the cost of treating the eggs is estimated to be £45,000 per year.
95. If the flock was culled, the farmer would lose the remaining value from the culled birds (the birds are assumed to be an average age of 46 weeks, with a value of £2). The birds would also need to be culled and incinerated at an assumed cost of £0.20 each. For the same illustrative farm as above, with the same assumptions about flock size and number of birds infected, costs are estimated to be approximately £40,000. The birds do not have to be culled: they could be kept for the production of eggs intended for heat treatment. However this would not be a profitable option for many farmers and it is expected that most would choose to cut their losses and have the birds culled.

96. Whichever option farmers chose, before a new flock could be placed in the house, the house would need to be cleaned and disinfected (in most cases enhanced cleansing and disinfection would be required which would lead to increased cost) and samples taken and tested to ensure no remaining infection. This testing is estimated to cost approximately £230 per holding.

The total costs of the control measures on eggs from infected flocks required by the NCP are below. These estimates assume a starting prevalence of 8% as indicated by the layer survey.

Year	0	1	2	3 onwards
Prevalence	8%	7.2%	6.48%	5.83%
Number hens infected (million)	2.46	2.21	1.99	1.79
Total eggs infected (million)	340	308	277	249
*Heat treatment (million) of eggs or	£6.0	£5.4	£4.8	£4.4
Disposal (million) of eggs or	£17.7	£15.9	£14.4	£12.9
<b>Cull (million)</b>	<b>£5.6</b>	<b>£5.0</b>	<b>£4.5</b>	<b>£4.1</b>

\*assumes the bird continues production until it would be culled out at the end of the production cycle of approx 12 months and that the eggs it produces in this period would go for treatment.

97. Of these costs, all but approximately £45,000 (for confirmatory official control sampling) are expected to be borne by industry. It is anticipated that industry will choose the cheapest option for them (culling the flock) and therefore the shaded figures should be seen as the likely total costs of the control measures.

### Total costs and benefits the National Control Programme

98. The total costs of the sampling and the controls on eggs from infected holdings, are estimated in the table below according to the different implementation options for the Competent Authority sampling:

Year	0	1	2	3 onwards
TOTAL (Option 2 plus control measures) (million)	£7.2	£6.7	£6.2	£5.7
TOTAL (Option 3 plus control measures) (million)	£7.0	£6.4	£5.9	£5.5
TOTAL (Option 4 plus control measures) (million)	£7.0	£6.4	£5.9	£5.4

The benefit of the measures proposed above is that they reduce the risk to human health from the dissemination of *Salmonella* Enteritidis and Typhimurium into the environment from infected laying flocks and humans.

99. The cost used for a case of *Salmonella* that required two weeks off work was £862 (average male weekly earnings of £431 were used). The cost for an unreported case of *Salmonella* was assumed to be one day off work (at £86 per day).
100. Government policy appraisal uses a well-developed standard approach to valuing a reduction in the risk of fatality which is known as the statistical value of preventing a fatality (or VPF) and expressed in terms of £ per life saved. Typically this value is estimated by asking individuals about the amount they would be willing to pay to reduce the risk of death by a specified percentage.
101. Studies of the public willingness to pay to avert a death in other policy areas suggest that people *are* prepared to put an implicit value on the resources that should be committed to protecting people from a given disease or from death. The standard VPF value used in policy appraisal of road schemes in the UK is about £1 million. This was the figure used for the value of preventing a fatality from *Salmonella*.
102. There is a wide range given for the benefits because there are no accurate figures for the number of human *Salmonella* cases each year, as many minor cases are never reported to a doctor or the authorities. As a result, although the number of *Salmonella* cases reported in 2005 was approximately 12,800, the real number may be three times this. Hence estimates have been provided for both 12,800 cases and 38,400 cases per year. It is assumed that a reported case is likely to be more serious and require two weeks off work, whereas an unreported case will be more minor and require a day off work. The number of deaths in England and Wales due to *Salmonella* was 119 in 2000 and so it is estimated using the size of the populations of England and Wales that 112 deaths occurred in England. It is assumed that there are no further unreported deaths due to *Salmonella*.
103. Assuming that 20% of human cases of *Salmonella* come from the consumption of infected eggs and that the number of infected eggs, and therefore human infections, falls in line with the fall in *Salmonella* prevalence of 10% per year for three years the total benefits to human health are given in the table below.
104. The total cost of human *Salmonella* caused by eggs (again assuming that 20% of human *Salmonella* cases are caused by eggs) is estimated to be £25 million per year.

Projected annual reduction in costs of human <i>Salmonella</i> resulting from controls				
	0	1	2	3 onwards
TOTAL cost of <i>Salmonella</i> (average of maximum and Minimum number of cases) (million) is £65,000,000	£0	£2.5	£4.7	£6.7

Note that there is a time lag – there will be no benefits initially, until the *Salmonella* prevalence starts to fall after the first year. This also assumes that levels in countries which export eggs to the UK decline to similar levels.

105. Implementation also helps to protect the ability of egg producers to export their products to the EU. In 2006 UK egg producers exported eggs and egg products worth approximately £19 million. Without implementation, there is a risk that these

exports would be banned, and although some of the eggs would be redirected into the domestic market, they would still lose value.

### **Small Firms Impact Test.**

106. Almost all egg producers would be classified as a small business, as they employ fewer than 250 full time equivalent employees.
107. The aim of the options considered above is to enable normal business to continue for all firms in the industry while minimising the risks of *Salmonella* to human health. A key consideration in analysing the options has been recognition of industry achievements in controlling *Salmonella* which supports a light touch approach.
108. Consultation on this issue will continue.

### **Issues of equity and fairness**

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

### **Competition Assessment**

110. 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 fresh, graded shell eggs nor limit the ability of or incentives for 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 industry is not characterised by rapid technological change.
111. There are two large egg producing companies with a substantial market share of roughly 45% between them – they are the subject of a competition Commission inquiry into a proposed merger between the two. However, it is not thought that the proposed regulations would affect the ability of other firms to compete with them – all farms would have to comply with the legislation.
112. All EU Member States will need to implement the legislation and so there will be a more level playing field for EU competition. Few untreated shell eggs are imported into the UK from outside the EU.

### **Enforcement and Sanctions**

113. To be completed after the consultation.

***Please would enforcement authorities inform us of any costs/burdens associated with these proposals.***

## **Implementation and delivery plan**

114. The consultation period for The Poultry Order began on 18<sup>th</sup> July 2007 and will end on 10<sup>th</sup> October 2007. This section will then be completed.

## **Post Implementation Review**

115. The Zoonoses Regulation 2160/2003 includes an amendment clause under which certain provisions could be changed to take account of technical and scientific progress. It also requires that the progress made under the National Control Programmes are assessed at the end of their three year life span.

## Annex 1

### Scope and enforcement of the National Control Programme

1. The NCP states that any producers who are not exempted in Regulation 2160/2003 under Article 1.3 will be included in its requirements. This Article states that the legislation does not apply to producers who supply:
  - ...small quantities of primary products to the final consumer or to local retail establishments directly supplying the primary products to the final consumer.
2. When considering the threshold of the NCP we also took into account the 6th recital to Council Regulation 1907/90 on egg marketing standards. This paves the way for 'small quantities' of direct to consumer sales to be excluded from the scope of the standards:
  - Whereas the standards must be applicable to all hen eggs marketed on the territory of the Community; whereas it nonetheless seems advisable to exclude from the scope of their application certain forms of sale from producer to consumer where small quantities are involved;

Furthermore Article 3 of the Regulation states:

- 3. This Regulation shall not apply to:
  - eggs sold directly to the consumer for his own use, by the producer on his own farm, in a local public market with the exception of auction markets, or by door-to-door selling,
- 3. The farm census indicates that there are around 20,000 holdings which produce eggs for human consumption. Of these up to 3,000 holdings are known to regularly sell eggs either on farm, door to door, at markets or retail. Those that sell eggs at markets or retail are likely to fall within the scope of the NCP. This would include registered producers (possibly in the region of 350) which sell small quantities of graded eggs to local retail outlets.
- 4. For government to attempt to audit the sampling and testing conducted by these producers annually would conflict with government policy on proportionality, be of limited public health benefit and result in a considerable burden on resources. Nor would it be necessary to meet the requirements of Regulation 2160/2003 or 1168/2006. Other considerations which have lead us to this decision are that:
  - Producers who sell eggs, door to door, on farm or limited quantities at farmers markets are unlikely to produce them in sufficient quantities to make a significant contribution to human levels of *Salmonella* (although depending on farm and egg handling hygiene and storage – may be a significant local problem).
  - The direct relationship between producers and the customer ensures traceability.
  - Such holdings were not included in the survey which set the reduction target and there would not be a baseline against which to monitor their progress.

## **Enforcement through Animal Health Agency**

5. Under the Egg Marketing Regulations EC 2295/2003 all eggs sold at retail must be graded. Egg Marketing Inspectors (EMI) visit all producers of eggs intended for sale as Class A on a regular basis (Quality Assurance Inspectors carry out this task in Northern Ireland) to check their procedures and grading machines. Consequently all flocks which have over 1,000 hens and which therefore meet the criteria for Competent Authority sampling will be eligible for annual visits under the Egg Marketing Regulations.
6. Egg Marketing Inspectors have had experience of collecting samples of eggs (from packing stations) on behalf of the Veterinary Medicines Directorate. When inspecting a holding under The Egg Marketing Regulations they could conduct/oversee the collection of CA samples. Producers eligible for CA sampling will also come under the provisions of The Registration of Establishments (Laying Hens) (England) Regulations 2003 which cover all establishments with more than 350 laying hens. Since the Regulations are intended to ensure that the location and size of these holdings are known to government they will serve as a useful source of information to implement the NCP.
7. Defra officials have taken the view that concentrating resources on producers with 350 hens or more will enable us to cover the most significant companies. Over 90% of eggs sold for human consumption are produced in the UK by companies over this threshold. Government will have powers to audit holdings below this threshold, although it will be on a risk basis (i.e. whether the holding is supplying a group that would be especially vulnerable to *Salmonella* or if the holding has been linked to a previous outbreak). The measures which must be taken by government when *Salmonella* is detected in hens or eggs will apply to all commercial holdings regardless of whether they are regularly audited.

## **Stratification of laying flock population**

8. Tables 3 and 4 set out the stratifications of the laying flock population and the enforcement bodies which currently visit laying flocks. These have been used when estimating the implementation and enforcement costs of the NCP. They also show that the EMI should have sufficient presence on holdings with flocks of less than 1,000 hens to audit the operator sampling, as almost all of them would be registered as packing stations and therefore could expect annual visits from Egg Marketing Inspectors.
9. Table 3 indicates the recorded stratification levels for UK producers required to register under The Registration of Establishments (Laying Hens) Regulations 2003 "RoLFO" (i.e. those with a UK number). A total of 2,080 producers are recorded in this way. RoLFO cover all establishments with 350 or more laying hens. Table 4 sets out sampling requirements and potential enforcement bodies.

Table 3

<b>Number of hens</b>	<b>England and Wales</b>	<b>Scotland</b>	<b>Northern Ireland</b>
<b>Unclassified</b>	<b>74</b>		
<b>1- 50</b>	<b>101</b>		
<b>51 - 150</b>	<b>154</b>		
<b>151 - 250</b>	<b>82</b>		
<b>251 - 350</b>	<b>69</b>		
<b>&lt;350</b>	<b>415</b>	<b>100</b>	<b>15</b>
<b>350-1,000</b>	<b>204 not including those with 350 or less</b>	<b>25</b>	<b>20</b>
<b>1,000 to 10,000</b>	<b>724 not including those with 1,000 or less</b>	<b>45</b>	<b>90</b>
<b>&gt;10,000</b>	<b>586 not including those with 10,000 or less</b>	<b>50</b>	<b>66</b>

Table 4

Production Unit	Operator Sample	Official Control Sample	Auditing	Current Inspections
Rearing Flock Holdings No of holdings: 480	2 samples per flock at placement and pre-movement.	Not required	Annually by Control Body (possibly through production holding).	Animal Health Officers - (EMI/SVS) on an ad-hoc basis
All holdings with more than 1,000 laying hens No of holdings: 1,310	Every flock every 15 weeks	Annually one flock under the control of the Competent Authority.	Annually by Control Body. This could be conducted during CB sampling visit or by requesting returns of testing records at packing stations/AHOs	Animal Health Officers - (EMI/SVS) on an annual basis.
All holdings with less than 1,000 hens producing eggs for the purposes of grading No of holdings: 619	Every 15 weeks from every flock	Not required	Annually by Control Body: Spot checks and submittance of sampling and testing records to CB.	Animal Health Officers - (EMI/SVS) every two years. However if eggs are packed on the holding the visits will be at least annual.
All holdings producing table eggs but selling ungraded and unmarked eggs directly to consumer (i.e. at the farm gate or door to door). No of holdings: 15, 000 The majority have < 350 birds.  About 476 of these producers are RoLFO only: some would be registered with <350 birds for selling ungraded eggs directly to the consumer at local public markets.	At discretion of producer or according to retail outlet.	Not required	By Control Body where necessary or if linked to a specific outbreak.	At discretion of Trading Standards (in particular at local markets) and Animal Health Officers - (EMI/SVS) if over 350 birds

## Annex 2

### Zoonoses - Code of Practice for the control of *Salmonella*:

Publication	PB Number
In chickens reared for meat on farm	<b>PB7323</b>
During the storage, handling and transport of raw materials intended for incorporation into, or direct use as animal feeding stuffs	<b>PB2202</b>
In the production of final feed for livestock in premises producing less than 10,000 tonnes per annum	<b>PB2201</b>
In the production of final feed for livestock in premises producing over 10,000 tonnes per annum	<b>PB2200</b>
In commercial turkey flocks	<b>PB0000</b>
In breeding flocks and hatcheries	<b>PB1564</b>
In commercial egg laying flocks	<b>PB2205</b>
In the animal by-products rendering industry	<b>PB2199</b>
For the UK fish meal industry	<b>PB2203</b>
Code of practice for the prevention of rodent infestations in poultry flocks	<b>PB2630</b>
On pig farms	<b>PB5399</b>
The Handling and Storage of eggs from farm to retail sale	<b>PB2818</b>
Egg Quality Guide	<b>PB0000</b>

## Annex 3

### Legislation Referred to in the Regulatory Impact Assessment

The Zoonoses Regulation 2160/2003 the “The Zoonoses Regulation”

[http://eur-lex.europa.eu/LexUriServ/site/en/oj/2003/l\\_325/l\\_32520031212en00010015.pdf](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](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_211/l_21120060801en00040008.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](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](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](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](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)

UK legislation can be viewed at:

[www.defra.gov.uk](http://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](mailto:zdri@DEFRA.GSI.GOV.UK)

Tel: 020 7904 6146