



STATUTORY INSTRUMENTS.

S.I. No. 306 of 2024



EUROPEAN UNION (ANIMAL IDENTIFICATION AND TRACING)
(AMENDMENT) (POULTRY HATCHERY) REGULATIONS 2024

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(AMENDMENT) (POULTRY HATCHERY) REGULATIONS 2024

I, CHARLIE MCCONALOGUE, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving further effect to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016¹ (and the European Commission implementing and delegated acts adopted thereunder), and Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017² (and the European Commission implementing and delegated acts adopted thereunder), (to the extent that those acts apply to the identification and registration of poultry, eggs and poultry hatcheries), hereby make the following regulations:

Citation

1. These Regulations may be cited as the European Union (Animal Identification and Tracing) (Poultry Hatchery) (Amendment) Regulations 2024.

Application

2. (1) These Regulations apply to the identification and registration of poultry, eggs and poultry hatcheries.

Definitions

3. (1) In these Regulations “Principal Regulations” means the European Union (Animal Identification and Tracing) Regulations 2023 (S.I. No. 254 of 2023).

Amendment of Regulation 2

4. The Principal Regulations are amended in Regulation 2 by inserting after paragraph (1) the following paragraph:

“(1A) These Regulations also apply to the identification and registration of poultry, eggs and poultry hatcheries.”.

Amendment of Regulation 3

5. The Principal Regulations are amended in Regulation 3–

- (a) in the definition of “EU identification and registration Regulations”, by substituting “Regulation 2022/1345 and Regulation 2020/686” for “and Regulation 2022/1345”,

¹ OJ L 84, 31.3.2016, p. 1

² OJ L 95, 7.4.2017, p. 1

- (b) by inserting the following definition after the definition of “Regulation 2019/2035”:

“‘Regulation 2020/686’ means Commission Delegated Regulation (EU) 2020/686 of 17 December 2019³ as amended by Commission Delegated Regulation (EU) 2021/880 of 5 March 2021⁴,” and

- (c) by substituting for the definition of “relevant animal” the following:

“‘relevant animal’ means an animal of the bovine, porcine, ovine, caprine or equine species, or poultry within the meaning of Article 4(9) of Regulation 2016/429 and where the context so requires or admits, a reference to eggs of poultry;”.

Amendment of Regulation 6

6. The Principal Regulations are amended in Regulation 6–

- (a) in paragraph (1) by substituting “A person” for “An operator”,
 (b) by inserting the following paragraph after paragraph (2):

“(2A) Where the application for registration referred to in paragraph (1) relates to the register of germinal product establishments, the applicant shall, in addition to the requirements already mentioned in this Regulation, provide evidence of the requirements referred to in Article 6 of Regulation 2020/686.”, and

- (c) in paragraph (3), by inserting after “terrestrial animals” the following: “or collecting, producing, processing or storing germinal products”.

Amendment of Regulation 7

7. The Principal Regulations are amended in Regulation 7–

- (a) in paragraph (2), by substituting for “in particular Article 4 of Regulation 2022/1345” the following:

“in particular:

- (a) the following provisions of Regulation 2019/2035–
 (i) Article 7 in respect of the requirements for granting approval of hatcheries;
 (ii) Article 8 in respect of the requirements for granting approval of establishments keeping poultry, and
 (b) Article 4 of Commission Implementing Regulation (EU) 2022/1345 of 1 August 2022”.

³ OJ L 174, 3.6.2020, p. 1

⁴ OJ L 194, 2.6.2021, p. 1

- and
- (b) in paragraph (4), by substituting “where the establishment is approved in accordance with Chapters 2, 3 or 4“ for “where the establishment is approved in accordance with Chapters 3 or 4”.

Amendment of Regulation 8

- 8. The Principal Regulations are amended in Regulation 8-
 - (a) in paragraph 1, by inserting after “Article 102” the following: “or Article 103”,
 - (b) In paragraph (2)(c), by substituting for “equine” the following: “equine;
 - (d) Article 25 in respect of the record-keeping obligations of operators of establishments keeping poultry and captive birds;
 - (e) Article 33 in respect of the record-keeping obligations of operators of hatcheries”, and
- (c) by inserting the following paragraph after paragraph (3):

“(3A) The period prescribed for the purpose of maintaining records referred to in point (b) of paragraph (3) of Article 103 of Regulation 2016/429 is 3 years.”,

Amendment of Regulation 9

- 9. The Principal Regulations are amended in Regulation 9, in subparagraph (v), by substituting for “System, and” the following:

“System;
- (vi) Animal Health Computer System: Poultry, and”.

Insertion of Regulation 14A

- 10. The Principal Regulations are amended by inserting the following Regulation after Regulation 14:

“Identification, kept terrestrial animal other than an animal of the bovine, ovine, caprine, porcine or equine species

14A. (1) A person shall not contravene Article 117 of Regulation 2016/429 or an act referred to in Articles 118, 119 or 120, in respect of the identification of poultry.

(2) Without prejudice to the generality of paragraph (1), a person shall not contravene Title VI of Part III of Regulation 2019/2035 in respect of the obligations on operators as regards the traceability of hatching eggs.”

Amendment of Regulation 33

- 11. The Principal Regulations are amended in Regulation 33(1)-

- (a) By substituting “33.” for “33”, and
- (b) by inserting after “14(1)(2)(3) or (4),” the following: “14A(1) or (2),”.

Amendment of Regulation 38

12. The Principal Regulations are amended in Regulation 38-

- (a) by substituting for subparagraphs (a), (b) and (c) of paragraph (1) the following:
 - “(a) a person or establishment was or was not entered on the register in accordance with Regulation 22,
 - (b) a person or establishment was or was not authorised or approved under Regulation 23, or
 - (c) that a particular registration, authorisation or approval, referred to in this paragraph, was subject to a particular condition or conditions,” and
- (b) in paragraph (2), by substituting “under paragraph (1)” for “under paragraph (1) or (2)”.

Revocation and saver

13. (1) The European Communities (Poultry and Hatching Eggs) Regulations 2010 (S.I. No. 564 of 2010) are revoked.

(2) Where a transitional measure mentioned in Regulation 2016/429 or in an act referred to in that Regulation is applicable and such transitional measure requires the continuation of a provision revoked by paragraph (1) the relevant provision of the Regulations revoked by paragraph (1) shall continue to apply as if that provision had not been revoked for so long as the transitional measure permits.

(3) An application for a registration or approval (within the meaning of the Regulations revoked by paragraph (1) that remains to be determined on commencement of these Regulations is, after the commencement of these Regulations, considered to be an application for a registration or approval under the equivalent provision of the Principal Regulations and may be determined as if made under the Principal Regulations.

(4) A registration or approval granted under the Regulations revoked by paragraph (1) and in force immediately before the making of these Regulations continues in force after such making as if granted under the Principal Regulations.

(5) Any reference made in an instrument to Regulations revoked by paragraph (1) shall be construed as a reference to the Principal Regulations, or where the context so requires or admits, a reference to the European Union (Marketing Standards for Poultry and Hatching Eggs) Regulations 2024.



GIVEN under my Official Seal,
19 June, 2024.

CHARLIE MCCONALOGUE,
Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation.)

These Regulations give effect to EU legislation on the identification and registration of poultry, eggs and hatcheries.

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