

**2007 Rhif 2461 (Cy.208)**

**ANIFEILIAID, CYMRU**

**ATAL CREULONDEB**

**Rheoliadau Lles Anifeiliaid  
(Cigydda neu Ladd) (Diwygio)  
(Cymru) 2007**

**NODYN ESBONIADOL**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

Mae'r Rheoliadau hyn, sy'n gymwys o ran Cymru, yn diwygio Rheoliadau Lles Anifeiliaid (Cigydda neu Ladd) 1995 (OS 1995/731). Mae Rheoliadau 1995 yn rhoi ei heffaith i Gyfarwyddeb y Cyngor 93/119/EC ar amddiffyn anifeiliaid adeg eu cigydda neu eu lladd (OJ Rhif L 340, 31.12.93, t.21).

Mae'r Rheoliadau hyn yn diwygio Atodlenni 1, 3, 4, 6 a 9 i Reoliadau 1995. Mae'r Rheoliadau hyn hefyd yn mewnosod Atodlen 7A newydd yn Rheoliadau 1995.

Mae'r diwygiad i Atodlen 1 yn ei gwneud yn ofynnol i berson y mae ei drwydded wedi'i hatal dros dro neu wedi'i dirymu ildio'r drwydded i'r Asiantaeth Safonau Bwyd.

Mae'r diwygiad i Atodlen 3 yn cyfyngu ymhellach ar ddefnyddio offerynnau sy'n rhoi siociau trydan i fucholion llawndwf a moch llawndwf.

Mae'r diwygiad i Atodlen 4 yn byrhau'r amser y caniateir i adar gael eu hongian cyn iddynt gael eu stynio neu eu lladd.

Mae'r diwygiadau i Atodlen 6 yn dileu'r gofyniad i anifeiliaid penodol beidio â chael eu gwaedu yng ngolwg unrhyw anifeiliaid eraill o'r fath.

Mae'r Atodlen 7A newydd yn caniatáu lladd ieir dodwy nad oes eu hangen mwyach i gynhyrchu wyau ac ieir bridio nad oes eu hangen mwyach i gynhyrchu wyau deor drwy eu rhoi mewn nwy mewn man heblaw lladd-dy. Mae'r Atodlen yn caniatáu hefyd i

Weinidogion Cymru awdurdodi lladd adar drwy eu rhoi mewn nwy mewn man heblaw lladd-dy.

Mae'r diwygiad i Atodlen 9 yn caniatáu defnyddio dyfeisiau ergydiol niwmatig neu rai a weithredir â chetris, sef dyfeisiau sy'n lladd ar unwaith er mwyn cigydda neu ladd adar at ddibenion rheoli clefydau.

Mae Asesiad Effaith Rheoleiddiol wedi ei lunio ar gyfer yr offeryn hwn. Mae copïau ar gael oddi wrth yr Adran Cynaliadwyedd a Datblygu Gwledig, Llywodraeth Cynulliad Cymru, Parc Cathays, Caerdydd CF10 3NQ.

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(Cymru) 2007**

*Wedi eu gwneud* . . . . . *20 Awst 2007*

*Wedi eu gosod gerbron Cynulliad  
Cenedlaethol Cymru* . . . . . *22 Awst 2007*

*Yn dod i rym* . . . . . *12 Medi 2007*

Mae Gweinidogion Cymru, gan eu bod wedi eu dynodi (1) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(2) mewn perthynas â pholisi amaethyddol cyffredin y Gymuned Ewropeaidd, yn gwneud y Rheoliadau canlynol o dan y pwerau roddwyd gan yr adran honno:

**Enwi, cychwyn a chymhwyso**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Lles Anifeiliaid (Cigydda neu Ladd) (Diwygio) (Cymru) 2007.

(2) Mae'r Rheoliadau hyn yn dod i rym ar 12 Medi 2007.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

**Diwygio Rheoliadau Lles Anifeiliaid (Cigydda neu Ladd) 1995**

2.—(1) Diwygir Rheoliadau Lles Anifeiliaid (Cigydda neu Ladd) 1995(3) yn unol â gweddill y paragraffau yn y rheoliad hwn.

(2) Yn lle rheoliad 15, rhodder—

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(1) O.S. 2005/2766.

(2) 1972 p. 68.

(3) O.S. 1995/731; O.S. 1999/400 yw'r offeryn diwygio perthnasol.

**“15 The killing of animals elsewhere than in a slaughterhouse or knacker’s yard**

- (1) Subject to sub-paragraph (2) and regulations 16 to 19, where any soliped, ruminant, pig, rabbit or bird is killed elsewhere than in a slaughterhouse or knacker’s yard, it shall be killed in accordance with Parts I and III of Schedule 5.
- (2) Schedule 7A (killing birds by exposure to gas mixtures elsewhere than in a slaughterhouse) has effect”.

(3) Yn Atodlen 1 (trwyddedu cigyddwyr), mae'r canlynol yn cael ei ychwanegu ar ôl is-baragraff 9(2)

—  
“(3) Any person whose licence has been suspended or revoked under sub-paragraph (1) above must, whether or not that suspension or revocation is the subject of an appeal pursuant to paragraph 11 below, surrender it to the Agency within 14 days of receipt of a notice informing him or her of the suspension or revocation.”

- (4) Ym mharagraff 11 o Atodlen 3—
  - (a) o flaen is-baragraff (a), mewnosoder “(aa) the use of such an instrument is avoided as far as possible”; a
  - (b) yn lle is-baragraff (a), rhodder—
    - “(a) the shocks last no more than one second each, are adequately spaced out and are not used repeatedly if the animal fails to respond;”.

(5) Yn Atodlen 4 (atal anifeiliaid cyn eu stynio, eu cigyddu neu eu lladd), rhoddir y canlynol yn lle is-baragraff 6(2)(c)—

“(c) no bird is suspended for more than 3 minutes in the case of a turkey or 2 minutes in other cases before being stunned or killed.”.

(6) Ym mharagraff 13 o Atodlen 5, yn lle is-baragraffau (c) a (d) rhodder —

- “(c) for birds only, decapitation or dislocation of the neck;
- (d) exposure of pigs and birds to gas mixtures at a slaughterhouse in accordance with schedule 7; or
- (e) exposure of birds to carbon dioxide or gas mixtures elsewhere than at a slaughterhouse or knacker’s yard in accordance with schedule 7A”.

(7) Yn Atodlen 6 (gwaedu neu bithio anifeiliaid), dilëir is-baragraffau 2(3) a 2(4).

(8) Ar ôl Atodlen 7, mewnosoder:

## “SCHEDULE 7A

### **KILLING BIRDS BY EXPOSURE TO GAS MIXTURES ELSEWHERE THAN IN A SLAUGHTERHOUSE**

Regulation 15(2)

#### **Part 1**

#### **Interpretation**

**1.** In this Schedule—

“bird” means any domestic fowl, turkey, pheasant, quail, partridge, goose, duck or guinea fowl;

“bird shed” means a building designed and constructed to house birds that has been sealed so as to be capable of containing the gas mixture mentioned in combination 1 in the table in Part V;

“breeder hen” means a domestic fowl which has reached laying maturity and is kept for production of eggs intended for hatching;

“chamber” means a bird shed or gas container in which end of lay hens, end of life breeder hens or birds are killed by exposure to gas or gas mixtures mentioned in the second column of the table in Part V;

“end of lay hen” means a laying hen no longer required for the production of eggs;

“end of life breeder hen” means a breeder hen no longer required for the production of hatching eggs;

“gas container” means a receptacle capable of containing the gas mixtures mentioned in combinations 2 or 3 in the table in Part V;

“gas mixture” means any of the combinations of gases listed in Part V;

“laying hen” means a domestic fowl which has reached laying maturity and is kept for

production of eggs not intended for hatching.

## **Part II**

### **End of Lay Hens and End of Life Breeder Hens**

#### **2.**

- (1) Subject to paragraphs (2) and (3), end of lay hens and end of life breeder hens may be killed on premises where they have been kept as laying or breeder hens by exposure to gas mixtures in accordance with Part V of this Schedule.
- (2) The owner of the end of lay hens or the end of life breeder hens must give the Welsh Ministers a minimum of five working days' notice specifying —
  - (a) the owner's name and address;
  - (b) the address of the premises at which the killings will take place;
  - (c) the date on which the killings will take place;
  - (d) which of the combinations of gas and chamber listed in the table in Part V of this Schedule is intended to be used for the killings;
  - (e) the number and age of hens being killed and whether kept as laying or breeder hens.
- (3) Part IV of this Schedule applies to the killing of end of lay hens and end of life breeder hens permitted by this paragraph.

## **PART III**

### **Killing where there is Restriction on Movement**

#### **3.—**

- (1) The Welsh Ministers may authorise the killing of birds elsewhere than in a slaughterhouse by exposure to gas mixtures in accordance with Part V of this Schedule if—
  - (a) an event occurs in Great Britain that makes the movement of birds from the premises where they have been kept to a slaughterhouse impracticable; and

- (b) it is foreseeable that the welfare of the birds will be compromised as result of the restrictions on their movement.

(2) An authorisation issued under this paragraph—

- (a) must be in writing;
- (b) may be general or specific;
- (c) is subject to the conditions set out in sub-paragraph (3);
- (d) may include such other conditions as may be specified in the authorisation; and
- (e) may at any time be amended, suspended or revoked by notice in writing—
  - (i) in the case of a general authorisation, by publication in such manner as the Welsh Ministers see fit, and
  - (ii) in the case of a specific authorisation, by service on the individual to whom the authorisation was granted.

(3) The conditions referred to in sub-paragraph (2) (c) are that—

- (a) the occupier of the premises takes all reasonable measures to avoid welfare problems in birds affected by restrictions to their movement; and
- (b) following an inspection by him or her, a veterinary surgeon has confirmed in writing that the welfare of the birds affected by restrictions on their movement will be gravely compromised within 7 days from the date of the inspection.

(4) Part IV of this Schedule applies to the killing of birds authorised by this paragraph.

(5) No person shall kill birds by exposure to gas mixtures elsewhere than in a slaughterhouse except where authorised to do so in accordance with this paragraph.

## PART IV

### **The Chamber**

## **Chamber operator**

### **4.**

(1) No person may operate a chamber unless he or she has been assessed competent to do so under Schedule 1 to these Regulations.

(2) No person may operate a chamber consisting of a bird shed except under the direct supervision of a veterinary surgeon.

## **Construction of the chamber**

**5.** The operator of a chamber used to kill end of lay hens, end of life breeder hens or birds must ensure that the chamber is—

- (a) designed, adapted, constructed, and maintained so as to avoid injury to the hen or bird;
- (b) fitted with an apparatus that can deliver gas mixtures to the chamber in accordance with the combinations listed in the table in Part V of this Schedule;
- (c) fitted with devices which—
  - (i) measure and display the maximum concentration by volume of oxygen in the gas mixture mentioned in combination 3 in that table or the minimum concentration by volume of carbon dioxide mentioned in combination 1 or 2 of that table as a percentage at the point of minimum concentration in the chamber;
  - (ii) where combination 3 in that table is used, give clearly visible or audible warning signals where the final concentration by volume of oxygen rises above 5% for more than 30 seconds; and
  - (iii) where combination 1 or 2 in that table is used, give clearly visible or audible warning signals where the final concentration by volume of carbon dioxide falls below 45% for more than 30 seconds; and
- (d) fitted with a means of visually monitoring birds or hens in the chamber.

## **Operation of the chamber**

**6.—**(1) The operator of the chamber must ensure that—

- (a) every person engaged in the killing is instructed as to the method of operation of the chamber;
- (b) end of lay hens, end of life breeder hens and birds are—
  - (i) rapidly rendered insensible to pain or distress; and
  - (ii) exposed to the gas mixtures mentioned in the second column of the table in Part V long enough to ensure they are killed and in any event for a period of—
    - (aa) where combination 1 in that table is used, not less than 5 minutes;
    - (bb) where combination 2 in that table is used, not less than 2 minutes;
    - (cc) where combination 3 in that table is used, not less than 90 seconds;
- (c) should the visible or audible warning signals provided for in paragraph 5(c)(ii) be activated, more of the gas mixture is immediately supplied to the chamber until the required concentrations are achieved; and
- (d) after exposure to a gas mixture nothing more is done to an end of lay hen, an end of life breeder hen or bird until it is ascertained that it is dead.

## PART V

### Combinations of gas mixtures and chamber

7. Birds, end of lay hens and end of life breeder hens shall be killed by exposure to one of the combinations of gas mixture and chamber specified in the table below.

#### Combination table

	<i>Gas mixture</i>	<i>Chamber</i>
<i>Combination 1</i>	Carbon dioxide in a concentration of not less than 45% carbon dioxide by volume in atmospheric air	bird shed
<i>Combination 2</i>	Carbon dioxide	gas container

in a concentration of not less than 45% carbon dioxide by volume in atmospheric air

*Combination 3* Any mixture of gas container” argon and carbon dioxide, or other inert gas and carbon dioxide, in atmospheric air where—

(a) the concentration of the argon, or the other inert gas, does not exceed 80% by volume;

(b) the concentration of carbon dioxide does not exceed 20% by volume; and

(c) the final concentration of oxygen does not exceed 5% by volume.

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(9) In Schedule 9 (slaughter or killing methods for the purpose of disease control), the following is added after subparagraph 2(f)—

“(g) for birds, a pneumatic or cartridge operated percussive device producing immediate death, provided that nothing more is done to a bird before it has been ascertained that the bird is dead.”

*Elin Jones*

.Y Gweinidog dros Faterion Gwledig, un o Weinidogion Cymru

20 Awst 2007.