STATUTORY INSTRUMENTS

# 1987 No. 232

# ANIMALS

## ANIMAL HEALTH

# The Diseases of Animals (Waste Food) (Amendment) Order 1987

| | |
|---|---|
| *Made - - - -* | *17th February 1987* |
| *Coming into force* | *10th March 1987* |

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 1 and 8(1) of the Animal Health Act 1981(**a**), and of all other powers enabling them in that behalf, order as follows:–

**Title and commencement**

**1.** This Order may be cited as the Diseases of Animals (Waste Food) (Amendment) Order 1987 and shall come into force on 10th March 1987.

**Amendment**

**2.** The Diseases of Animals (Waste Food) Order 1973(**b**) shall be amended as follows:–

(a) after paragraph (3) of article 2 there shall be inserted the following paragraph —
"(4) Any reference in this Order to granting a licence includes a reference to renewing a licence before it ceases to be valid.";

(b) in article 3 (prohibitions relating to unprocessed waste food etc)
(i) in paragraph (1) the words "Subject to paragraph (4) of this article," shall be omitted;
(ii) in paragraph (2) for the words "Subject to paragraph (4) of this article (but without prejudice to the provisions of article 4 of this order)" there shall be substituted the words, "without prejudice to the provisions of article 4 of this Order"; and
(iii) paragraph (4) shall be omitted; and

(c) after article 11 (applications for licences) there shall be inserted the following article —
"**11A.** The issuing authority may —
(a) before granting a licence under article 7 authorising the operation of plant and equipment for processing waste food on any premises; or
(b) before granting a licence under article 8 authorising the reception of waste food on any premises,

(**a**) 1981 c.22. (**b**) S.I. 1973/1936.

carry out such inspections, examinations and tests as it considers necessary for the purpose of ascertaining —

(i) whether the premises conform to the specifications set out in Part I of Schedule 1 or Part I of Schedule 2 to this Order (as appropriate) or are of a standard substantially equivalent to those specifications; and

(ii) whether the operation of plant and equipment on the premises for processing waste food or (as the case may be) the use of the premises for the reception of waste food would give rise to a risk of the spread of disease."

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th February 1987.

**(L.S.)**

*Michael Jopling*
Minister of Agriculture, Fisheries and Food

*John J. Mackay*
17th February 1987 Parliamentary Under-Secretary of State, Scottish Office

*Nicholas Edwards*
17th February 1987 Secretary of State for Wales

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Diseases of Animals (Waste Food) Order 1973 ("the 1973 Order") which prohibits a person from possessing any unprocessed waste food for the purpose of feeding to livestock or poultry, unless he is the holder of a licence granted under that order authorising him to operate plant and equipment for processing waste food, and from feeding any waste food to livestock or poultry, unless it has first been processed by means of plant and equipment operated under such a licence. The 1973 Order further provides that these prohibitions do not apply to the possession by any person of any waste food originating from his own household or to the feeding of such waste food to livestock or poultry provided it has first been processed. This Order removes such exemptions from the 1973 Order so that the prohibitions referred to apply to all unprocessed waste food (article 2(a)).

This Order also enables an issuing authority (as defined in the 1973 Order) before granting, or renewing, a licence authorising the operation of plant and equipment on any premises for processing waste food or the reception of waste food intended for feeding to livestock or poultry on any premises to carry out such inspections, examinations and tests as it considers necessary in order to ascertain whether the premises comply with the constructional specifications set out in the 1973 Order and whether their use for waste food processing or the reception of waste food would give rise to the risk of the spread of disease (article 2(b)).

45p net

ISBN 0 11 076232 0

Printed for Her Majesty's Stationery Office by Croydon Printing Company (UK) Limited 845/ O228 C45 2/87