Draft Regulations laid before the Scottish Parliament under sections 11(3), 14(7) and 19(5) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2025 No.

AGRICULTURE

The Sheep Carcase (Classification and Price Reporting) (Scotland) Regulations 2025

Made - - - - 2025

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 11(1), 14(2) and 19(1) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020(**a**) and all other powers enabling them to do so.

In accordance with section 11(4) of that Act, the Scottish Ministers have consulted such persons as they consider are representative of the interests of persons likely to be affected by these Regulations as they consider appropriate.

In accordance with sections 11(3), 14(7) and 19(5) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

PART 1
General

Citation and commencement

1.—(1) These Regulations may be cited as the Sheep Carcase (Classification and Price Reporting) (Scotland) Regulations 2025.

(2) These Regulations, other than the provisions specified in paragraph (3), come into force on 12 January 2026.

(3) The following provisions come into force on 12 February 2027—

(a) regulation 5(1)(b) and (6) (requirements and methods for automated classification of carcases),

(b) regulation 11(2)(g) (record keeping for automated classification methods),

(**a**) 2020 asp 17.

(c) regulation 13(b) (communication of automated classification methods to supplier),

(d) regulations 16 and 17 (licensing of automated classification methods),

(e) regulation 18(1)(b), (d) and (g) (appeals relating to automated classification methods),

(f) regulations 19 and 20 (authorisation of automated classification methods),

(g) regulation 23(3)(b)(ii) (on-the-spot checks for automated classification methods),

(h) schedule 2 (tests for automated classification methods).

Interpretation

2. In these Regulations—

"aged less than 12 months" means a sheep which—

(a) does not have a permanent incisor erupted through the gum, or

(b) is assessed as being less than 12 months of age in accordance with a method of assessment of age approved by the Scottish Ministers,

"approval number" means the number allocated to a slaughterhouse to indicate that it is an approved slaughterhouse,

"approved slaughterhouse" means an establishment which is—

(a) used for slaughtering and dressing sheep, the meat of which is intended for human consumption, and

(b) approved or conditionally approved under Article 4 of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin(**a**),

"authorised automated classification method" means an automated classification method which is authorised by the Scottish Ministers in accordance with regulation 19 (authorisation of automated classification methods),

"authorised officer" means a person authorised by the Scottish Ministers in writing to carry out on-the-spot checks under regulation 23 (on-the-spot checks) and to exercise powers under regulations 25 (powers of entry) and 26 (powers of authorised officers),

"automated classification licence" means a licence granted by the Scottish Ministers under regulation 16(1) (licence to use authorised automated classification methods) permitting the use of an automated classification method for classification of carcases at a regulated slaughterhouse,

"automated classification methods" means methods which consist of—

(a) a machine or other apparatus, and

(b) a formula,

by which classification of sheep carcases can be carried out automatically,

"carcase" means the whole body of a slaughtered sheep—

(a) as presented in accordance with regulation 7 (presentation of carcases for classification), after bleeding, evisceration and skinning, and

(**a**) EUR 2004/853, relevantly amended by S.I. 2019/640.

(b) bearing a health mark in accordance with paragraph 4 of Article 18 of the Official Controls Regulation and with Article 48 and Annex 2 of the Official Controls Implementing Regulation(**a**),

"classification" means the classification of carcases in accordance with regulation 5(2)(b) (requirements and methods for classification of carcases) and schedule 1 (classes of conformation and fat cover),

"classification record" means the record of the classification containing the information set out in regulation 5(5) (requirements and methods for classification of carcases),

"cold weight" has the meaning given in regulation 10(3) (determination of carcase weight),

"compliance notice" has the meaning given in regulation 27(1) (compliance notices),

"deadweight" means purchased on the basis that the exact price is to be established once the sheep has been slaughtered, according to the weight, classification or other pre-determined criteria it is subsequently found to meet,

"licensed classifier" means a person to whom a licence has been granted under regulation 14(1) (licence to carry out visual classification),

"Official Controls Implementing Regulation" means Commission Implementing Regulation (EU) 2019/627 of 15 March 2019 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption(**b**),

"Official Controls Regulation" means Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products(**c**),

"on-the-spot-checks" has the meaning given in regulation 23 (on-the-spot checks),

"operator" means a person carrying on the business of operating an approved slaughterhouse,

"supplier" means the person who sends a lamb or sheep for slaughter,

"visual classification" means classification which a licensed classifier carries out by eye and without the aid of an automated classification method,

"warm weight" has the meaning given in regulation 10(2) (determination of carcase weight),

"writing" includes electronic communication within the meaning of section 15 of the Electronic Communications Act 2000(**d**).

Regulated slaughterhouses

3.—(1) In these Regulations, "regulated slaughterhouse" means—

(a) an approved slaughterhouse at which at least 500 sheep per week as a rolling annual average are slaughtered,

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(**a**) EUR 2019/627, relevantly amended by S.I. 2020/1631.
(**b**) EUR 2017/627, relevantly amended by S.I. 2020/1631.
(**c**) EUR 2017/625, as relevantly amended by S.I. 2020/1481, S.S.I. 2021/342, S.S.I. 2022/90, S.I. 2022/621, S.I. 2022/846 and S.I. 2022/1315.
(**d**) 2000 c. 7. Section 15 was amended by paragraph 158 of schedule 17 of the Communications Act 2003 (c. 21).

(b) a slaughterhouse at which less than 500 sheep per week are slaughtered as a rolling annual average in respect of which a notice has been given under paragraph (2) which has not been withdrawn.

(2) The operator of an approved slaughterhouse of the kind described in paragraph (1)(b) may give notice to the Scottish Ministers requesting that these Regulations apply in relation to that slaughterhouse.

(3) A notice given under paragraph (2) may be withdrawn no earlier than 12 months after that notice has been given, unless the Scottish Ministers agree otherwise.

(4) In paragraph (1)—

(a) a "week" means a seven day period from Monday to Sunday inclusive,

(b) references to "rolling annual average" are to the mean average calculated for the year preceding at any given point in time, as calculated by an approved slaughterhouse on a monthly basis.

PART 2

Notifications by operators

Notifications by operators

4.—(1) A person who is an operator of a regulated slaughterhouse on the date on which these Regulations come into force must, before the end of the period of 28 days beginning with that date, give notice to the Scottish Ministers.

(2) A person who becomes an operator of a regulated slaughterhouse after the date on which these Regulations come into force must, before the end of the period of 28 days beginning with the date on which the person becomes an operator, give notice to the Scottish Ministers.

(3) A notice under this regulation must be given in writing and include—

(a) the full name and address of the operator,

(b) the address, telephone number and approval number of the slaughterhouse,

(c) where the operator is a partnership, the full names and addresses of all the partners,

(d) where the operator is a body corporate, the full name, registered office address and registration number of the body corporate.

(4) Where a change occurs in any of the particulars specified in paragraph (3), the operator must, within 28 days of the date on which the change occurs, give notice to the Scottish Ministers of the particulars of the change.

(5) Where a slaughterhouse ceases to be an approved slaughterhouse its operator must, before the end of the period of 10 days beginning on the day on which that occurs, give notice to the Scottish Ministers of the date of such cessation.

(6) For the purposes of this regulation "partnership" means—

(a) a business which falls within the meaning given in section 1 of the Partnership Act 1890(**a**),

(b) a limited partnership registered under section 8(1) of the Limited Partnerships Act 1907(**b**),

(**a**) 1890 c. 39. Section 1 was amended by section 1(1) and Part 10 of schedule 1 of the Statute Law (Repeals) Act 1998 (c. 43) and S.I. 2009/1941.
(**b**) 1907 c. 24. Section 8 was substituted by S.I. 2009/1940 and amended by S.I. 2017/514.

(c) a limited liability partnership within the meaning given in section 1 of the Limited Liability Partnerships Act 2000(**a**).

PART 3

Classification etc. of sheep carcases

Requirements and methods for classification of carcases

5.—(1) The operator of a regulated slaughterhouse must ensure that the carcase of each sheep aged less than 12 months at the time of its slaughter at that slaughterhouse is classified—

(a) visually by a licensed classifier, or

(b) by use of an authorised automated classification method.

(2) Classifications under this regulation must—

(a) be carried out at the time that the warm weight of the carcase is being determined in accordance with regulation 10 (determination of carcase weight), and

(b) subject to paragraphs (3) and (4), classify the carcase by both—

(i) a conformation class from the first column of Table 1 in schedule 1 (conformation classes), and

(ii) a class of fat cover from the first column of Table 2 in schedule 1 (classes of fat cover descriptions).

(3) Each of the classes of conformation in the first column of Table 1 in schedule 1 or, as the case may be, fat cover in the first column of Table 2 of schedule 1, may be subdivided into three subclasses of Low (marked as "-"), Medium (marked as "=") and High (marked as "+").

(4) If the subclasses in paragraph (3) are not used in relation to the fat cover classes—

(a) "3. Average", and

(b) "4. High",

those fat cover classes may be subdivided into the subclasses Low (marked as "L") and High (marked as "H").

(5) The operator must keep a classification record for each carcase classified under paragraph (1) comprising—

(a) the specification of presentation used under regulation 7 (presentation of carcases for classification),

(b) the cold weight of the carcase determined in accordance with regulation 10(3) (determination of carcase weight),

(c) the classification determined under paragraphs (2)(b), (3) and (4).

(6) If the operator of a regulated slaughterhouse uses an automated classification method and that method fails to accurately classify a carcase, the operator must ensure that the carcase is visually classified by a licensed classifier as soon as possible after the failure is identified.

Removal of tissue from a carcase

6.—(1) Subject to—

(a) regulation 7 (presentation of carcases for classification), and

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(**a**) 2000 c. 12.

(b) the application of veterinary requirements,

the operator of a regulated slaughterhouse must ensure that no fat, muscle and other tissue is removed from a carcase in that slaughterhouse before weighing and classification.

(2) In this regulation, "veterinary requirements" means the requirements relating to post mortem official checks in—

(a) the Official Controls Regulation, and

(b) the Official Controls Implementing Regulation.

Presentation of carcases for classification

7.—(1) The operator of a regulated slaughterhouse must ensure that each carcase in the slaughterhouse is presented for classification by hanging it and preparing it in accordance with the reference specification or the UK standard specification.

(2) The "reference specification" is presentation of the carcase following removal of each of—

(a) the head, severed at the atlanto-occipital joint,

(b) the feet, severed at the carpometacarpal or tarsometatarsal joints,

(c) the tail, severed between the sixth and seventh caudal vertebrae,

(d) the udder,

(e) the genitalia,

(f) the liver,

(g) the pluck.

(3) The "UK standard specification" is presentation of the carcase following removal of both—

(a) each part listed in paragraph (2),

(b) the kidney knobs, channel fat and diaphragm.

Identification of carcases

8. The operator of a regulated slaughterhouse must ensure that each carcase in that slaughterhouse is allocated a unique kill number which identifies the carcase and the batch of animals from which it was obtained.

Labelling of carcases

9.—(1) The operator of a regulated slaughterhouse must ensure that each carcase classified in the slaughterhouse is labelled at the time of classification with a label containing the following information—

(a) the identifying kill number allocated under regulation 8 (identification of carcases),

(b) the date of slaughter of the animal from which the carcase was obtained,

(c) the approval number of the slaughterhouse,

(d) the classification of the carcase determined under regulation 5(2)(b), (3) and (4) (requirements and methods for classification of carcases),

(e) the cold weight of the carcase,

(f) whether classification was carried out visually or by automated classification method.

(2) Labels used for the purposes of paragraph (1) must be clearly legible, tamper-proof and firmly attached to the carcase.

Determination of carcase weight

10.—(1) The operator of a regulated slaughterhouse must ensure that the cold weight of each carcase classified in that slaughterhouse is determined in accordance with paragraphs (2) and (3).

(2) To determine its warm weight, the carcase must be weighed to the nearest 100 grams—

(a) as soon as possible, and

(b) not later than sixty minutes,

after the animal has been slaughtered.

(3) The cold weight of the carcase is its warm weight reduced by 2%.

Record keeping

11.—(1) The operator of a regulated slaughterhouse must keep a record of the information specified in paragraph (2) for each carcase which is classified in that slaughterhouse.

(2) The information specified in this paragraph is—

(a) the date of slaughter,

(b) the kill number allocated under regulation 8 (identification of carcases),

(c) the classification record made under regulation 5(5) (requirements and methods for classification),

(d) where the animal from which the carcase was obtained was aged less than 12 months, whether it belonged to the new season lamb or the old season lamb category,

(e) confirmation that any communication to a supplier required by regulation 13 (communication to the supplier) has been given,

(f) where a classification was carried out visually, the name, signature and visual classification licence number of the licensed classifier who carried out the classification,

(g) where classification was carried out by an automated method, the name, signature and automated classification licence number of the person who oversaw the classification,

(h) where applicable, the market price determined in accordance with regulation 12(2) (recording of prices for carcases of sheep aged less than 12 months),

(i) where applicable, any supplementary payment made for the carcase in accordance with regulation 12(3).

(3) The operator must retain each record under paragraph (1) for a period of at least 12 months from the end of the calendar year in which the carcase to which the record relates is classified.

(4) In these regulations, "new season lamb" means a sheep aged less than 12 months which is assessed by a licensed classifier to be from the lamb crop born in either—

(a) the period beginning on 1 January and ending on 30 September in the current calendar year, or

(b) the period beginning on 1 October and ending on 31 December in the previous calendar year.

(5) In these regulations, "old season lamb" means a sheep aged less than 12 months which is not a new season lamb.

Recording of prices for carcases of sheep aged less than 12 months

12.—(1) The operator of a regulated slaughterhouse must ensure that for each sheep purchased on a deadweight basis, which is aged less than 12 months at the time of its slaughter at the slaughterhouse, the market price of the carcase is recorded.

(2) In paragraph (1), "market price" means the price calculated by the regulated slaughterhouse on the basis of classification, weight, or other pre-determined features of the carcase—

(a) expressed in pence per kilo,

(b) excluding VAT,

(c) before any deductions for costs incurred by the slaughterhouse.

(3) If any supplementary payment is paid for a carcase after its market price has been calculated, the operator of a regulated slaughterhouse must record the amount of that supplementary payment and the reason for that payment, together with the information required under paragraph (1).

Communication to the supplier

13. The operator of a regulated slaughterhouse must communicate in writing to the supplier of each sheep purchased on a deadweight basis, which is aged less than 12 months at the time of its slaughter at that slaughterhouse, the following—

(a) the information specified in regulation 11(2)(a) to (c), as included in the records retained under regulation 11(3),

(b) where applicable, a statement that classification was carried out using an authorised automated classification method.

PART 4

Licences

Licence to carry out visual classification

14.—(1) The Scottish Ministers may grant a visual classification licence to any person who applies for such a licence and who meets the criteria in paragraph (2).

(2) The criteria are that the Scottish Ministers are satisfied that the person is—

(a) suitably qualified, and

(b) otherwise a fit and proper person.

(3) A visual classification licence may be granted subject to such terms and conditions as the Scottish Ministers consider appropriate for the purposes of carrying out a visual classification of carcases.

(4) A person to whom a visual classification licence is granted must comply with the terms and conditions subject to which it is granted.

(5) In these Regulations, "visual classification licence" means a licence granted by the Scottish Ministers permitting a person to carry out the visual classification of carcases.

Suspension, revocation or variation of licence to carry out visual classification

15.—(1) Where paragraph (2), (3) or (4) applies, the Scottish Ministers may, in addition to the actions available under Part 8, suspend, revoke or vary the terms and conditions of, a visual classification licence.

(2) This paragraph applies where, as a result of checks carried out under regulation 23 (on-the-spot checks) or when exercising powers under regulation 25 (powers of entry) or 26 (powers of authorised officers), an authorised officer identifies a significant number of incorrect—

(a) presentations,

(b) classifications,

(c) identifications, or

(d) labellings,

attributable to the licensed classifier.

(3) This paragraph applies where the licensed classifier has contravened any of the terms and conditions subject to which a visual classification licence is granted.

(4) This paragraph applies where the Scottish Ministers are satisfied that the licensed classifier is no longer a fit and proper person to carry out classification of carcases.

(5) Where the Scottish Ministers make any decision in relation to a visual classification licence under this regulation which gives rise to a right of appeal under regulation 18 (appeals regarding licences), the Scottish Ministers must, in writing, within a period of 28 days beginning on the day on which the decision is made—

(a) inform the person of the decision,

(b) give reasons for the decision,

(c) inform the person of the right of appeal under regulation 18 (appeals regarding licences).

Licence to use authorised automated classification methods

16.—(1) The Scottish Ministers may on application grant an automated classification licence to an operator of a regulated slaughterhouse.

(2) Where an operator applies for an automated classification licence, the Scottish Ministers must, before granting any such licence, be satisfied that—

(a) the automated classification method to which the application relates has been authorised by the Scottish Ministers in accordance with regulation 19 (authorisation of automated classification methods), and

(b) the manner of its proposed operation within the regulated slaughterhouse would be compatible with that authorisation.

(3) The Scottish Ministers may grant an automated classification licence subject to such terms and conditions as they consider appropriate.

Suspension, revocation or variation of licence to use automated classification methods

17.—(1) Where paragraph (2), (3) or (4) applies, the Scottish Ministers may, in addition to the actions available under Part 8, suspend, revoke or vary the terms and conditions of an automated classification licence.

(2) This paragraph applies where, as a result of on-the-spot checks carried out under regulation 23 (on-the-spot checks) or when exercising powers under regulations 25 (powers of entry) or 26 (powers of authorised officers), the Scottish Ministers ascertain that the automated classification

method, or the manner of its operation within the regulated slaughterhouse, has generated a significant number of incorrect—

(a) presentations,

(b) classifications,

(c) identifications, or

(d) labellings.

(3) This paragraph applies where an operator has contravened any of the terms or conditions of an automated classification licence.

(4) This paragraph applies where the Scottish Ministers consider that the requirements of these Regulations are otherwise no longer met in respect of the automated classification method or the manner of its operation within the slaughterhouse.

(5) In cases of an error on conformation or fat cover, the Scottish Ministers may ask the operator to rectify it—

(a) on the marking of the carcase, and

(b) in the documents concerned.

(6) Where the Scottish Ministers make any decision in relation to an automated classification licence under this regulation which gives rise to a right of appeal under regulation 18 (appeals regarding licences), the Scottish Ministers must, in writing, within a period of 28 days beginning on the day on which the decision is made—

(a) inform the operator of the decision,

(b) give the reasons for the decision, and

(c) inform the operator of the right of appeal under regulation 18 (appeals regarding licences).

Appeals regarding licences

18.—(1) A person may appeal in writing to a person appointed for that purpose by the Scottish Ministers within a period of 60 days beginning on the day on which the decision is notified to them, or the term or condition is imposed, against a decision by the Scottish Ministers to—

(a) reject an application by that person for a visual classification licence,

(b) reject an application for an automated classification licence,

(c) grant a visual classification licence subject to a term or condition,

(d) grant an automated classification licence subject to a term or condition,

(e) suspend or revoke a visual classification licence,

(f) vary the terms and conditions subject to which a visual classification licence is granted,

(g) suspend or revoke an automated classification licence,

(h) vary the terms and conditions subject to which an automated classification licence is granted.

(2) The Scottish Ministers may make written representations to the appointed person concerning the decision.

(3) The appointed person must—

(a) consider the appeal and any representations made by the Scottish Ministers,

(b) report in writing to the Scottish Ministers with—

(i) their conclusions on the appeal,

(ii) a recommendation as to the manner in which the appeal should be finally determined by the Scottish Ministers.

(4) The Scottish Ministers must then—

(a) make a final determination,

(b) notify the appellant in writing of—

(i) that determination,

(ii) the reasons for it,

(c) if the appeal has been upheld, ensure that the relevant rejection of a licence application, suspension or revocation of the licence, or the variation of the terms and conditions subject to which it has been granted, which has been the subject of the appeal is reversed.

PART 5

Authorisations and other requirements for use of automated classification methods

Authorisation of automated classification methods for carcases

19.—(1) The proprietor of an automated classification method may request that the Scottish Ministers authorise that method for use in regulated slaughterhouses.

(2) The Scottish Ministers may grant a request under paragraph (1) if—

(a) the automated classification method has been subjected to the entire authorisation test process set out in Part 1 of schedule 2 (authorisation test process), and

(b) analysis of the test results in accordance with Part 2 of schedule 2 (minimum requirements for test results) show that is has met the degree of accuracy required under that Part.

(3) The authorisation for an automated classification method must stipulate the carcase specification and hanging presentation used in the test process for that method and require that all future use of the method under regulation 5 (requirements and methods for classification of carcases) replicates the carcase specification and hanging presentation.

(4) The authorisation for an automated classification method may be granted subject to such other terms and conditions as the Scottish Ministers consider appropriate.

(5) The proprietor of an authorised automated classification method, or any operators using it for classification under these Regulations, must ensure to the extent they are able to do so that any requirement under paragraph (3) or (4) is met.

(6) In this regulation, "carcase specification" means one of the specifications for preparation of a carcase set out in regulation 7(2) or (3) (presentation of carcases for classification).

(7) In this regulation, "hanging presentation" means the way that a carcase is hung from hooks and gambrels in a slaughterhouse.

Additional provisions on classification by automated classification methods

20.—(1) If an authorised automated classification method is used in a regulated slaughterhouse pursuant to an automated classification licence, the operator of that slaughterhouse must keep a daily control record of the functioning of that method, and retain it for at least 12 months from the end of the calendar year in which the record is made.

(2) The daily control record referred to in paragraph (1) must include details of—

(a) any shortcomings encountered in the operation of the automated classification method,

(b) any actions taken in respect of those shortcomings.

PART 6

Reporting of the market prices and related data of classified carcases

Reporting of market price and related data to a person authorised by the Scottish Ministers

21.—(1) The operator of a regulated slaughterhouse must ensure that for each sheep purchased on a deadweight basis, and aged less than 12 months at the time of its slaughter, information retained for the carcase of that sheep is reported in writing to a person authorised by the Scottish Ministers for that purpose, as follows—

(a) the information contained in records retained under regulation 11(2)(a) to (d) and (h) (record keeping) must be reported by Monday evening each week for animals slaughtered between the previous Monday and Sunday inclusive, and

(b) the information contained in records retained under regulation 11(2)(i) must be reported within seven days from the end of the financial quarter during which the supplementary payment was made.

(2) In this regulation, "financial quarter" means a period beginning on 1 April and ending on 30 June, a period beginning on 1 July and ending on 30 September, a period beginning on 1 October and ending on 31 December or a period beginning on 1 January and ending on 31 March.

PART 7

Processing of information

Processing of information and the purposes for which processing may be carried out

22.—(1) This regulation relates to information notified or reported to the Scottish Ministers, or a person authorised by the Scottish Ministers, under regulations 3(2) (regulated slaughterhouses), 4 (notifications by operators) or 21 (reporting of market price and data).

(2) The purposes for which the information referred to in paragraph (1) may be processed are—

(a) helping persons in agri-food supply chains(**a**) to manage risks or market volatility,

(b) promoting transparency or fairness in agri-food supply chains,

(c) monitoring or analysing markets connected with agri-food supply chains.

(3) The types of processing which may be carried out with the information referred to in paragraph (1) are—

(a) collection, recording, organisation, structuring or storage,

(b) adaptation or alteration,

(c) retrieval, consultation or use,

(d) disclosure by transmission, dissemination or otherwise making available,

(e) alignment or combination,

(f) restriction, erasure or destruction.

(4) Information provided under regulation 21 (reporting of market price and data) may only be disclosed under paragraph (3)(d) in anonymised form.

(**a**) See section 13 of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020 (2020 asp 17) ("Defined terms").

(5) Information provided under regulations 3(2) (regulated slaughterhouses) or 4 (notifications by operators) may be disclosed under paragraph (3)(d) in any form.

PART 8

Enforcement

On-the-spot checks

23.—(1) An authorised officer must carry out regular checks ("on-the-spot checks") under this regulation of all regulated slaughterhouses.

(2) An authorised officer must carry out on-the-spot checks without prior notice.

(3) During an on-the-spot check, an authorised officer—

(a) may check compliance with these Regulations generally,

(b) must, at a minimum, check compliance in respect of—

(i) the presentation, classification, weighing, identification and labelling of the carcases,

(ii) where applicable—

(aa) the ongoing accuracy of any authorised automated classification method used in the slaughterhouse and the manner of its operation,

(bb) the daily controls referred to in regulation 20(1) (additional provisions on automated classification).

(4) The authorised officer must record and keep reports on the findings of the on-the-spot checks required by paragraph (1).

Minimum requirements of on-the-spot checks

24.—(1) The Scottish Ministers must determine the minimum requirements for each regulated slaughterhouse based on a risk assessment for that slaughterhouse.

(2) The minimum requirements referred to in paragraph (1) are requirements relating to—

(a) the frequency of on-the-spot checks which will be carried out, and

(b) the minimum number of carcases to be checked during the on-the-spot checks.

(3) For the purposes of paragraph (1), the Scottish Ministers must carry out a risk assessment which must, in particular, take into account—

(a) the number of sheep slaughtered in the regulated slaughterhouse concerned, and

(b) the findings during any previous on-the-spot checks in that regulated slaughterhouse.

Powers of entry

25.—(1) An authorised officer may at any reasonable hour enter a regulated slaughterhouse and any associated premises in which carcases may be handled or records relating to those carcases may be kept, for the purposes of ascertaining whether—

(a) any breach of these Regulations is being or has been committed, or

(b) there is on the premises any evidence of any such breach.

(2) Where an authorised officer enters premises under paragraph (1), the officer must present either—

(a) if entering under a warrant granted under paragraph (4), the warrant,

(b) if not entering under a warrant granted under paragraph (4), the authorisation under which the officer is entering.

(3) The authorised officer may be accompanied by such other persons as the officer considers necessary.

(4) If a justice of the peace or sheriff, by evidence on oath, is satisfied that there are reasonable grounds for entry into premises for any purpose in paragraph (1) and that—

(a) the premises are a private dwelling,

(b) admission to the premises has been refused, or a refusal is anticipated, and that notice of the intention to apply for a warrant has been given to the operator,

(c) asking for admission, or the giving of such notice, would defeat the object of the entry,

(d) the case is one of urgency,

(e) the premises are unoccupied, or

(f) the occupier is temporarily absent,

the justice of the peace or sheriff may by signed warrant authorise an authorised officer to enter the premises, if need be by reasonable force.

(5) A warrant granted under this regulation remains in force for a period of three months beginning on the date on which it is issued.

(6) An authorised officer who enters any unoccupied premises, or premises from which the occupier is temporarily absent, must leave them as effectively secured against unauthorised entry as they were before entry.

Powers of authorised officers

26. An authorised officer entering premises under regulation 25 (powers of entry) may—

(a) require access to, inspect, photograph or otherwise make a record of any sheep carcase or part of such a carcase, or any carcase or part of a carcase which the officer reasonably suspects to be a sheep carcase or part of such a carcase, on those premises,

(b) require access to and examine any record which an operator or licensed classifier is required to keep under these Regulations, and where any such record is kept by means of a computer, have access to, inspect and check the operation of any computer and associated apparatus or material which is or has been in use in connection with that record,

(c) require access to, inspect, photograph and check the operation of, any machine or apparatus which is or has been in use in connection with these Regulations,

(d) require that copies of or extracts from any such record be produced, and where such record is kept by means of a computer, apparatus or machine, require it to be produced in a form in which it may be taken away,

(e) retain any such record which the officer has reason to believe may be required as evidence in proceedings under these Regulations.

Compliance notices

27.—(1) If the Scottish Ministers have reason to believe that a person has committed a breach of these Regulations, the Scottish Ministers may serve that person with a notice ("a compliance notice").

(2) A compliance notice must contain the following information—

(a) the Scottish Ministers' grounds for believing that a breach of these Regulations has been committed,

(b) the matter that constitutes the breach,

(c) the action that the person must take in order to rectify the breach,

(d) a time limit of not less than 14 days within which this action must be taken,

(e) details of the right of appeal conferred by regulation 28 (appeals against compliance notices),

(f) the manner in which and the period within which an appeal may be made.

(3) A compliance notice issued under this regulation may be revoked or varied by the Scottish Ministers.

Appeals against compliance notices

28.—(1) The person on whom a compliance notice is served may appeal against it to the sheriff before the end of the period specified in the notice.

(2) The period referred to in paragraph (1) must not be less than 28 days.

(3) The grounds of an appeal under paragraph (1) are—

(a) that the decision was based on an error of fact,

(b) that the decision was wrong in law,

(c) that there has been a material procedural error.

(4) The sheriff may—

(a) uphold the notice,

(b) vary the notice,

(c) revoke the notice,

(d) take such steps as the Scottish Ministers could take in relation to the notice,

(e) remit the decision whether to uphold the notice, or any matter relating to that decision, to the Scottish Ministers.

(5) The operation of any compliance notice to which the appeal relates is suspended pending the outcome of the appeal.

Offences: compliance notices

29. Subject to regulation 28 (appeals against compliance notices), a person who fails to comply with a compliance notice commits an offence.

Offences: obstruction etc.

30. A person who—

(a) without reasonable excuse, intentionally obstructs an authorised officer,

(b) without reasonable excuse, fails to give an authorised officer any assistance or information that person may reasonably require for the purpose of carrying out functions under these Regulations,

(c) gives an authorised officer or other person acting under these Regulations any information knowing it to be false or misleading, or

(d) fails to produce any document or record when required to do so by an authorised officer,

commits an offence.

Offences by bodies corporate

31.—(1) Where—

(a) an offence under these Regulations has been committed by a body corporate or a Scottish partnership or other unincorporated association,

(b) it is proved that the offence was committed with the consent or connivance of, or was attributable to any neglect on the part of—

(i) a relevant individual, or

(ii) an individual purporting to act in the capacity of a relevant individual,

the individual as well as the body corporate, Scottish partnership or unincorporated association commits the offence and is liable to be proceeded against and punished accordingly.

(2) In paragraph (1), "relevant individual" means—

(a) in relation to a body corporate—

(i) a director, manager, secretary or other similar officer of the body,

(ii) where the affairs of the body are managed by its members, the members,

(b) in relation to a Scottish partnership, a partner,

(c) in relation to an unincorporated association other than a Scottish partnership, a person who is concerned in the management or control of the association.

Defence of due diligence

32. It is a defence for a person charged with an offence under these Regulations ("P") to prove that P took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by P or by a person under P's control.

Offences: punishment

33. A person who commits an offence under—

(a) regulation 29 (offences: compliance notices), or

(b) regulation 30 (offences: obstruction etc.),

is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Name
A member of the Scottish Government

St Andrew's House
Edinburgh
Date

SCHEDULES

SCHEDULE 1

Regulation 5

CLASSES OF CONFORMATION AND FAT COVER TO BE USED IN CLASSIFICATION OF CARCASES OBTAINED FROM SHEEP AGED LESS THAN TWELVE MONTHS

Table 1

Conformation Classes

Descriptions of the essential parts of a sheep carcase (hindquarter, back, and shoulder) which indicate the conformation class for that carcase

Conformation class	*Description*
S	Hindquarter: double muscled. Profiles extremely convex.
Superior	Back: extremely convex, extremely wide, extremely thick.
	Shoulder: extremely convex and extremely thick.
E	Hindquarter: very thick. Profiles very convex.
Excellent	Back: very convex, very wide and very thick to the shoulder.
	Shoulder: very convex and very thick.
U	Hindquarter: thick. Profiles convex.
Very Good	Back: wide and thick to the shoulder.
	Shoulder: thick and convex.
R	Hindquarter: profiles mainly straight.
Good	Back: thick, but less wide to the shoulder.
	Shoulder: good development, but less thick.
O	Hindquarter: profiles tending to slightly concave.
Fair	Back: lacking width and thickness.
	Shoulder: tending to narrow. Lacking thickness.
P	Hindquarter: profiles concave to very concave.
Poor	Back: narrow and concave, with bones apparent.
	Shoulder: narrow, flat and bones apparent.

Table 2

Class of Fat Cover

Descriptions of the degrees of fat coverage of a sheep carcase which indicate the fat cover class for that carcase

Class of Fat Cover	Description	
1. Low	External:	Traces of, or no, fat visible.
	Internal:	Abdominal: Traces of, or no, fat visible on kidneys.
		Thoracic: Traces of, or no, fat visible between ribs.
2. Slight	External:	A slight layer of fat covers part of the carcase, but may be less evident on the limbs.
	Internal:	Abdominal: Traces of fat, or slight layer of fat envelops part of the kidneys.
		Thoracic: Muscle clearly visible between ribs.
3. Average	External:	A light layer of fat covering most, or all, of the carcase. Slightly thickened fat zones at the base of the tail.
	Internal:	Abdominal: Light layer of fat envelops part, or all, of the kidneys.
4. High	External:	A thick layer of fat covering most, or all, of the carcase; but may be thinner on limbs, and thickening on shoulders.
	Internal:	Abdominal: Kidney is enveloped in fat.
		Thoracic: Muscle between ribs may be infiltrated with fat. Fat deposits may be visible on the ribs.
5. Very High	External:	Very thick fat cover. Patches of fat sometimes visible.
	Internal:	Abdominal: Kidneys enveloped in thick layer of fat.
		Thoracic. Muscle between ribs infiltrated with fat. Fat deposits visible on ribs.

SCHEDULE 2

Regulation 16

AUTHORISATION TEST PROCESS FOR AUTOMATED CLASSIFICATION METHODS AND MINIMUM REQUIREMENTS FOR TEST RESULTS

PART 1

Authorisation test process

1. An automated classification method which has been submitted for authorisation must be tested in the classification of a sample of at least 1200 carcases, each of which must also be visually classified by every member of a panel which has been convened for this purpose by the Scottish Ministers.

2. The panel convened by the Scottish Ministers under paragraph 1 must be composed of an uneven number of at least five experts in classification of carcases of sheep.

3. During the test process the members of the panel must use the subdivisions of classes of conformation and fat cover referred to in regulation 5(3) (requirements and methods for classification).

4. The members of the panel must work independently and anonymously of each other.

5. The Scottish Ministers must also nominate a coordinator of the authorisation test process who must—

(a) not be part of the panel,

(b) maintain independence with regard to the panel,

(c) in the opinion of the Scottish Ministers, have satisfactory technical knowledge to carry out this role.

6. The coordinator nominated under paragraph 5 must—

(a) monitor the work of the panel convened under paragraph 1,

(b) ensure that each panel member carries out the visual classification of the carcases independently and anonymously from the other panel members,

(c) verify that each carcase classified is—

(i) obtained from a sheep aged less than 12 months at the time of slaughter,

(ii) presented in the same way as all other carcases used in the test process, that being in accordance with the requirements of regulation 7,

(d) collect for each carcase—

(i) the classification results of the members of the panel,

(ii) the classification results obtained by using the automated classification method,

(e) ensure that, during the entire duration of the authorisation test, the classification results obtained by using the automated classification method are not available to any member of the panel or to any other interested party,

(f) make a decision whether, for objective reasons they must specify, any carcases should be excluded from the sample to be used for the analysis,

(g) ensure that the analysis sample includes a spread of carcases which is representative of the variety of sheep slaughtered in regulated slaughterhouses,

(h) send the results to the Scottish Ministers and the data analyst-statistician nominated under paragraph 7,

(i) send to the Scottish Ministers a report on how the test was conducted, including information on how the carcases were presented during the test process.

7. The Scottish Ministers must nominate an independent data analyst-statistician for each test, who must—

(a) analyse the results of the test collected by the coordinator to determine the accuracy of the automated classification method in accordance with Part 2 of this schedule,

(b) communicate the results of the analysis conducted under sub-paragraph (a) to the Scottish Ministers.

PART 2

Minimum requirements for test results

8. If the automated classification method fails to generate any classification result for 5% or more of the carcases within the test sample, it must be considered to have failed the authorisation test process.

9. If paragraph 8 does not apply, the accuracy of the automated classification method must be assessed according to the following paragraphs in this Part.

10. For each carcase within the test sample, the median of the visual results of all the members of the panel must be considered as the correct classification result for that carcase.

11. Results generated by the automated classification method must, for each carcase, be compared to the correct classification result.

12. The accuracy of the automated classification method must be established by allocating points to each classification result generated by that method, based on its degree of deviation from the correct classification result for both conformation and fat cover in accordance with Table 1 below.

Table 1

Deviation from correct classification result	*Conformation*	*Fat cover*
No deviation	10	10
Deviation of 1 class subdivision (up or down)	6	9
Deviation of 2 class subdivisions (up or down)	-9	0
Deviation of 3 class subdivisions (up or down)	-27	-13
Deviation of more than 3 class subdivisions (up or down)	-48	-30

13. To pass the authorisation test, the automated classification method must achieve at least 60% of the maximum number of points under Table 1 for both conformation and fat cover.

14. In addition to the requirement under paragraph 13, the classifications by the automated classification method must be within the limits specified in Table 2 below.

Table 1

	Conformation	*Fat cover*
Bias	± 30	± 0.60
Slow of the regression line	1 ± 0.15	1 ± 0.30

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the mandatory classification and price reporting of sheep carcases by approved slaughterhouses. These Regulations come into force on 12 January 2026, except for the provisions specified in regulation 1(3) relating to automated classification methods, which come into force on 12 February 2027.

Regulation 3 sets out the approved slaughterhouses to which these Regulations apply ("regulated slaughterhouses"), and regulation 4 requires notification to be given to Ministers by persons who are operators of such slaughterhouses.

Regulation 5 stipulates the classification requirements and methods applicable to regulated slaughterhouses. Schedule 1 sets out the conformation classes to be used when classifying carcases of sheep less than 12 months old. Regulation 6 prohibits the removal of tissue from a carcase prior to weighing and classification.

Classification requirements are to be carried out at the time that the carcases are being weighed as set out in regulation 10, once the carcases have been identified in accordance with regulation 8, and have been presented in accordance with regulation 7.

Regulation 9 requires that each classified carcase is to be labelled with the information set out in that regulation.

Regulation 10 requires that the weight of each classified carcase is to be determined in accordance with that regulation.

Regulations 11 and 12 set out information which must be recorded by regulated slaughterhouses for each classified carcase, and regulation 13 provides that the information contained in specific records must be communicated to the supplier of the animal from which the carcase was obtained.

Part 4 sets out a system of control of classification through licences.

Part 5 allows proprietors of an "automated" classification method to request authorisation from the Scottish Ministers for the use of the method in regulated slaughterhouses. Schedule 2 sets out the testing requirements to be followed by the Scottish Ministers in determining authorisation for such methods.

Part 6 requires the operator of a regulated slaughterhouse to ensure that market price and related information is reported to a person authorised by the Scottish Ministers.

Part 7 contains provisions which restrict how those who handle the market data provided by regulated slaughterhouses can process and disclose that information.

Part 8 contains enforcement provisions. Regulation 23 requires authorised officers to carry out regular checks in all regulated slaughterhouses. Regulation 24 gives power to the Scottish Ministers to set the minimum requirements in relation to the checks.

Regulations 25 and 26 give authorised officers powers of entry and associated powers to allow them to check for, and gather evidence of, breaches of these Regulations. Under regulation 27 compliance notices may be served in respect of breaches identified, and an appeal mechanism to the sheriff is put in place by regulation 28.

Regulations 29, 30 and 31 set out the offences in relation to these Regulations. Regulation 32 provides a defence of due diligence. Regulation 33 sets out the maximum punishment for committing an offence under these Regulations.

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