1989 No. 448

FOOD

Food Hygiene

Meat (Sterilisation and Staining) Regulations (Northern Ireland) 1989

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The Department of Health and Social Services in exercise of the powers conferred on it by Articles 15 and 72 of the Food (Northern Ireland) Order 1989(**a**) and of every other power enabling it in that behalf and after consultation in accordance with Article 72(2) of that Order with such organisations as appear to it to be representative of interests substantially affected by these Regulations, hereby makes the following Regulations:—

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Meat (Sterilisation and Staining) Regulations (Northern Ireland) 1989 and shall come into operation on 1st February 1990.

Interpretation

2. In these regulations—

"animal" does not include poultry;

"carcase meat" means the flesh of an animal, including thick or thin skirt, and heads of cattle or swine, but excluding offal;

"green offal" means stomachs and intestines derived from animals and the contents of such organs;

"imported meat" means meat derived from an animal or poultry slaughtered outside the United Kingdom;

"meat" means carcase meat, poultry meat and offal;

"offal" includes separate pieces of fat but does not include thick or thin skirt, heads of cattle or swine, or poultry offal;

"the Order" means the Food (Northern Ireland) Order 1989;

"pharmaceutical extract supplier" means a person whose business consists, wholly or mainly, of the collection, storage and preparation of glands, liquid extracts and other materials derived from the carcases of animals, prior to their removal to a manufacturing chemist for the manufacture of pharmaceutical products;

"poultry" means domestic fowls, turkeys, guinea fowls, ducks and geese;

"poultry meat" means the flesh or other edible part of poultry;

"processor" means any person who in the course of his processing business sterilises meat but does not include a waste food processor

(**a**) S.I. 1989/846 (N.I. 6)

licensed under the provisions of the Waste Food (Feeding to Livestock and Poultry) Order (Northern Ireland) 1974(**a**);

"slaughterhouse" means a place for slaughtering animals or poultry, the flesh of which is intended for human consumption, and includes any place available in connection with such a place for the confinement of animals or poultry while awaiting slaughter there or for keeping, or subjecting to any treatment or process, products of the slaughtering of animals or poultry there;

"specified offal" means hearts, kidneys, livers and lungs derived from animals which, in the case of an animal in the slaughterhouse, have been rejected as unfit for human consumption by a person authorised under the Order, the Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962(**b**), the Food Act 1984(**c**) or the Food and Drugs (Scotland) Act 1956(**d**) to act in relation to the examination of meat, by reason of any disease or pathological condition other than—

(*a*) ascariasis, fascioliasis or telangiectasis, or

(*b*) changes caused by the operations of stunning, slaughter or dressing of the animal;

"stained" means treated with a solution of the colouring agent Black PN or Brilliant Black BN (E151, Colour Index 197 No. 28440), the solution to be of such a strength that the colouring on the stained meat is clearly visible; and for the purpose of this definition "treated" means that all pieces of meat not smaller than primal cuts have been opened by multiple and deep incisions, and the whole surface of the meat has been covered with a solution as aforesaid either by immersing the meat in, or spraying or otherwise applying, the solution;

"sterilised" means—

(*a*) treated by boiling or by steaming under pressure until every piece of meat is cooked throughout,

(*b*) dry-rendered, digested or solvent processed into technical tallow, greases, glues, feeding meals or fertilizers, or

(*c*) subjected to a process other than those previously described in this definition which results in all parts of the meat no longer having the appearance of raw meat and which inactivates all vegetative forms of human pathogenic organisms in the meat.

Presumptions as to unfitness for human consumption

3. For the purposes of these regulations—

(*a*) meat destined for, or in, or coming from, a knackery situated in the United Kingdom;

(**a**) S.R. 1974 No. 12, to which there is an amendment not relevant to these regulations
(**b**) 1962 c. 13 (N.I.)
(**c**) 1984 c. 30
(**d**) 1956 c. 30

(*b*) meat which does not bear a mark to indicate that it has been inspected, and passed as fit for human consumption, by a person authorised under the Order, the Food Act 1984, the Food and Drugs (Scotland) Act 1956 or the Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962;

(*c*) imported meat which has not been imported in accordance with the Imported Food (Northern Ireland) Regulations 1984(**a**), the Imported Food Regulations 1984(**b**) or the Imported Food (Scotland) Regulations 1985(**c**);

(*d*) meat from any animal or poultry referred to in regulation 12(1); and

(*e*) meat which has not been handled or kept in a hygienic manner,

shall be presumed, until the contrary is proved, to be unfit for human consumption.

Saving

4. Nothing in these regulations shall—

(*a*) affect or derogate from the operation of any order made under the provisions of the Diseases of Animals (Northern Ireland) Order 1981(**d**); or

(*b*) require the sterilisation or staining, or affect the disposal or other treatment, of a whole dead animal.

Exemption

5. These regulations shall not apply in respect of any meat which is removed, or is intended to be removed, from any place or premises by, or under the authority of, a veterinary surgeon for examination by him or on his behalf.

PART II

STERILISATION AND STAINING OF MEAT

Requirements as to sterilisation and staining of carcase meat and specified offal in slaughterhouses

6.—(1) Subject to paragraph (2) and to regulation 16(3), any carcase meat at a slaughterhouse found to be unfit for human consumption and any specified offal at a slaughterhouse shall immediately be sterilised by the occupier of the slaughterhouse or be placed by him in a room or receptacle designed for the purpose of holding meat awaiting sterilisation and bearing a notice stating that its contents are to be sterilised on the premises, and shall then be sterilised by him at the slaughterhouse.

(2) The requirement as to sterilisation imposed by paragraph (1) shall not apply in the case of any carcase meat found to be unfit for human consumption or any specified offal which—

(**a**) S.I. 1984/1917
(**b**) S.I. 1984/1918
(**c**) S.I. 1985/913 (S. 82)
(**d**) S.I. 1981/1115 (N.I. 22)

(*a*) is stained by the occupier of the slaughterhouse immediately after it is brought into accommodation intended for the retention of unfit meat; or

(*b*) is intended to be removed from the slaughterhouse under the authority of a movement permit issued pursuant to regulation 19 to a destination referred to in regulation 17(1)(*a*).

Requirements as to sterilisation and staining of offal, poultry and poultry meat in slaughterhouses

7.—(1) Subject to paragraph (2) and to regulation 16(3), where any offal other than specified offal, or any poultry or poultry meat, at a slaughterhouse is found to be unfit for human consumption it shall immediately be sterilised by the occupier at the slaughterhouse or be placed by him in a room or receptacle designed for the purpose of holding meat awaiting sterilisation and bearing a notice that its contents are to be sterilised on the premises, and shall then be sterilised by him at the slaughterhouse.

(2) The requirements as to sterilisation imposed by paragraph (1) shall not apply in the case of—

(*a*) any offal, other than specified offal, unfit for human consumption (including any green offal not intended to be removed from the slaughterhouse in accordance with sub-paragraph (*c*)) which is intended to be removed from the slaughterhouse under the authority of a movement permit issued pursuant to regulation 19 to a destination referred to in regulation 17(1);

(*b*) any poultry or poultry meat unfit for human consumption which is intended to be removed from the slaughterhouse to a destination referred to in regulation 17(1);

(*c*) any green offal unfit for human consumption, and any other offal not being specified offal, which is in a container the contents of which consist mainly of green offal, which in either case is intended to be removed from the slaughterhouse to a destination referred to in regulation 17(1)(*b*).

Prohibition of removal of unfit meat, or meat not intended for human consumption, from slaughterhouses

8.—(1) Subject to paragraph (2) and to regulation 16(1) and (2), a person shall not remove or cause or permit to be removed from any slaughterhouse any meat unfit for, or not intended for, human consumption unless—

(*a*) that meat has been sterilised in accordance with the requirements of regulation 6 or 7;

(*b*) that meat, being carcase meat or specified offal, has been stained in accordance with the requirements of regulation 6 and is intended to be delivered to a destination referred to in regulation 17(1)(*b*) to (*e*) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*c*) that meat, being carcase meat or specified offal, is intended to be delivered to a destination referred to in regulation 17(1)(*a*) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*d*) that meat, being offal other than specified offal, is intended to be delivered to a destination referred to in regulation 17(1) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*e*) that meat, being poultry or poultry meat, is intended to be delivered to a destination referred to in regulation 17(1); or

(*f*) that meat is intended for export and the movement of each consignment to a port or other place of exit is in accordance with an arrangement in writing with, and under the supervision of, an authorised officer of the district council in whose district the slaughterhouse is situated.

(2) A person is exempt from the requirement imposed by paragraph (1) to obtain a movement permit in respect of the removal from a slaughterhouse occupied by him—

(*a*) of any green offal if that offal is intended to be delivered to a destination referred to in regulation 17(1)(*b*); or

(*b*) of any carcase meat or any offal other than green offal if such meat is removed in a container the contents of which consist mainly of green offal and which is intended to be delivered to a destination referred to in regulation 17(1)(*b*).

Requirements as to sterilisation and staining of carcase meat and specified offal in knackeries

9.—(1) Subject to paragraphs (2) and (3) and to regulation 16(3), carcase meat and specified offal derived from an animal slaughtered in, or brought into, a knackery shall be sterilised by the occupier of that knackery immediately after skinning of the carcase or, if the carcase is eviscerated immediately after skinning, immediately after evisceration or, if the carcase is cut up immediately after evisceration or is brought into the knackery already eviscerated, immediately after cutting up is completed.

(2) The requirement imposed by paragraph (1) to sterilise any meat immediately after the carrying out of any operation referred to in that paragraph shall not apply if, immediately after the carrying out of the relevant operation, the meat is placed in a room or receptacle designed for the purpose of holding meat awaiting sterilisation and bearing a notice that its contents are to be sterilised on the premises and is then sterilised by the occupier at the knackery.

(3) The requirement as to sterilisation imposed by paragraph (1) shall not apply in the case of any carcase meat or specified offal which—

(*a*) is stained at the knackery immediately after skinning of the carcase or, if the carcase is eviscerated immediately after skinning, immediately after evisceration or, if the carcase is cut up immediately after evisceration or is brought into the knackery already eviscerated, immediately after cutting up is completed; or

(*b*) is intended to be removed from the knackery under the authority of a movement permit issued pursuant to regulation 19 to a destination referred to in regulation 17(1)(*a*).

Requirements as to sterilisation and staining of offal in knackeries

10.—(1) Subject to paragraph (2) and to regulation 16(3), offal, other than specified offal, derived from an animal slaughtered in, or brought into, a knackery shall immediately after evisceration of the carcase from which it was taken be sterilised by the occupier at the knackery or be placed by him in a room or receptacle designed for the purpose of holding meat awaiting sterilisation and bearing a notice that its contents are to be sterilised on the premises, and shall then be sterilised by him at the knackery.

(2) The requirement as to sterilisation imposed by paragraph (1) shall not apply in the case of—

(*a*) any offal, other than specified offal, (including any green offal not intended to be removed from the knackery in accordance with sub-paragraph (*b*)) which is intended to be removed from the knackery under the authority of a movement permit issued pursuant to regulation 19 to a destination referred to in regulation 17(1); or

(*b*) any green offal, and any other offal, not being specified offal which is in a container the contents of which consist mainly of green offal, which in either case is intended to be removed from the knackery to a destination referred to in regulation 17(1)(*b*).

Prohibition of removal of meat from knackeries

11.—(1) Subject to paragraph (2) and to regulation 16(1) and (2), a person shall not remove or cause or permit to be removed from any knackery any meat unless—

(*a*) that meat has been sterilised in accordance with the requirements of regulation 9 or 10;

(*b*) that meat, being carcase meat or specified offal, has been stained in accordance with the requirements of regulation 9, is intended to be delivered to a destination referred to in regulation 17(1)(*b*) to (*e*) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*c*) that meat, being carcase meat or specified offal, is intended to be delivered to a destination referred to in regulation 17(1)(*a*) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*d*) that meat, being offal other than specified offal, is intended to be delivered to a destination referred to in regulation 17(1) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*e*) that meat, being poultry or poultry meat, is intended to be delivered to a destination referred to in regulation 17(1); or

(*f*) that meat is intended for export and the movement of each consignment is in accordance with an arrangement in writing with, and under the supervision of, an authorised officer of the district council in whose district the knackery is situated.

(2) A person is exempt from the requirement imposed by paragraph (1) to obtain a movement permit in respect of the removal from a knackery occupied by him—

(*a*) of any green offal if that offal is intended to be delivered to a destination referred to in regulation 17(1)(*b*); or

(*b*) of any carcase meat or any offal, other than green offal, if such meat is removed in a container the contents of which consist mainly of green offal and which is intended to be delivered to a destination referred to in regulation 17(1)(*b*).

Prohibition of removal of unfit meat from a place other than a slaughterhouse or knackery

12.—(1) A person shall not remove or cause or permit to be removed from any place, not being a slaughterhouse or knackery, any meat unfit for human consumption cut from any poultry or any animal specified in paragraph (2) which has died or been slaughtered at that place or been brought there after having died or been slaughtered unless—

(*a*) that meat has been sterilised;

(*b*) that meat, being carcase meat or specified offal, has been stained and is intended to be delivered to a destination referred to in regulation 17(1)(*b*) to (*e*) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*c*) that meat, being carcase meat or specified offal, is intended to be delivered to a destination referred to in regulation 17(1)(*a*) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*d*) that meat, being offal other than specified offal, is intended to be delivered to a destination referred to in regulation 17(1) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*e*) that meat, being poultry or poultry meat, is intended to be delivered to a destination referred to in regulation 17(1); or

(*f*) that meat is intended to be delivered to a knackery.

(2) For the purposes of this regulation and of regulations 3 and 18(1), "animal" means any variety of cattle, sheep, pig, equine animal or goat.

Freezing of unfit meat in a slaughterhouse or of meat in a knackery

13.—(1) Subject to paragraph (2), a person shall not freeze—

(*a*) any carcase meat which is unfit for human consumption or specified offal in a slaughterhouse; or

(*b*) any carcase meat or specified offal in a knackery,

unless that meat has been sterilised or stained.

(2) Paragraph (1) shall not apply in the case of any meat which is intended to be removed from the slaughterhouse or knackery under the authority of a movement permit issued pursuant to regulation 19 to a destination referred to in regulation 17(1)(*a*), or in the case of any meat in a slaughterhouse from a carcase infested with cysticercus bovis which has been frozen in accordance with the provisions of paragraph 7 of Schedule 2 to the Meat Inspection Regulations (Northern Ireland) 1984(**a**).

(**a**) S.R. 1984 No. 402: to which there is an amendment not relevant to these regulations

Prohibition of removal of imported meat unfit, or not intended, for human consumption from port or other place of entry

14. Subject to regulation 16(1), a person shall not cause or permit to be removed from its port or other place of entry any imported meat which is unfit, or not intended, for human consumption unless—

(*a*) that meat has been sterilised;

(*b*) that meat, being carcase meat, has been stained and is intended to be delivered to a destination referred to in regulation 17(1)(*b*) to (*e*), and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*c*) that meat, being carcase meat, is intended to be delivered to a destination referred to in regulation 17(1)(*a*) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*d*) that meat, being offal, is intended to be delivered to a destination referred to in regulation 17(1) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19; or

(*e*) that meat, being poultry meat, is intended to be delivered to a destination referred to in regulation 17(1).

Prohibition of bringing unfit meat from England, Wales or Scotland to Northern Ireland

15.—(1) A person shall not bring, or cause or permit to be brought, into Northern Ireland from England, Wales or Scotland any meat which is unfit for human consumption unless—

(*a*) that meat has been sterilised;

(*b*) that meat, being carcase meat or specified offal, has been stained, is intended to be delivered to a destination referred to in regulation 17(1)(*b*) to (*e*) and is accompanied to that destination by a consignment note or a movement permit;

(*c*) that meat, being carcase meat or specified offal, is intended to be delivered to a destination referred to in regulation 17(1)(*a*) and is accompanied to that destination by a consignment note or a movement permit;

(*d*) that meat, being offal other than specified offal, is intended to be delivered to a destination referred to in regulation 17(1) and is accompanied to that destination by a consignment note or a movement permit; or

(*e*) that meat, being poultry meat, is intended to be delivered to a destination referred to in regulation 17(1).

(2) The driver of the vehicle in which meat is delivered to any premises accompanied by a consignment note or a movement permit shall give that note or a copy of that permit to the occupier of those premises, who shall retain it for a period of two years from the date on which he received it and within seven days send a copy thereof to the district council in whose district those premises are located. Any consignment note or copy permit retained by an occupier of premises in accordance with the requirements of this paragraph shall be made available for inspection by an authorised officer at any reasonable time.

(3) On receipt of any such copy of a consignment note or movement permit in accordance with paragraph (2) the district council shall forthwith notify in writing the local authority in England, Wales or Scotland from whose district the meat has been imported of the arrival of the consignment related to the consignment note or movement permit.

(4) In this regulation and in regulation 18(2)(*a*) and (*b*)—

"consignment note" means a consignment note issued in pursuance of Part III of the Meat and Poultry Meat (Staining and Sterilisation) (Scotland) Regulations 1983(**a**); and

"movement permit" means a movement permit issued under the provisions of regulation 19 of the Meat (Sterilisation and Staining) Regulations 1982(**b**) authorising the removal of that meat to the premises to which it is to be delivered.

Exemption from requirements as to sterilisation and staining of meat in ports, other places of entry, slaughterhouses and knackeries

16.—(1) There may be removed from its port or other place of entry, or from a slaughterhouse or a knackery which in either case is not equipped with facilities for the sterilisation of meat, imported meat not intended for human consumption, meat unfit for human consumption or knacker meat, which has been neither sterilised nor stained if—

(*a*) all destinations referred to in regulation 17(1) to which it is reasonably practicable to deliver that meat are, by reason of permanent or temporary closure of the premises or a breakdown of the machinery installed therein or a trade dispute, unable to receive it;

(*b*) that meat is transported in a vehicle or in an impervious container which, in either case, bears a notice of the type described in regulation 24(1)(*b*) and (2); and

(*c*) that meat is removed, in accordance with an arrangement in writing with, and under the supervision of, an authorised officer of the district council in whose district the port or other place of entry, slaughterhouse or, as the case may be, knackery is situated, to a place where it is buried or destroyed.

(2) There may be removed from a slaughterhouse, or as the case may be, a knackery, which has exhausted, and cannot practicably replenish, its supplies of staining fluid, carcase meat unfit for human consumption or specified offal, which has neither been sterilised nor stained, if that meat is delivered to a destination referred to in regulation 17(1)(*b*) to (*d*) in accordance with an arrangement in writing with, and under the supervision of, an authorised officer of the district council in whose district the slaughterhouse, or as the case may be, knackery, is situated.

(3) Where any meat is removed from a slaughterhouse or knackery in accordance with paragraph (1) or (2) the occupier of that slaughterhouse or knackery is exempt from any requirement imposed by these regulations to sterilise or stain that meat.

(**a**) S.I. 1983/704
(**b**) S.I. 1982/1018; amended by S.I. 1982/1727

Removal of unfit meat

17.—(1) Meat unfit for human consumption or imported meat not intended for human consumption or knacker meat may be removed from any premises referred to in regulation 8, 11, 12 or 14 in accordance with any movement permit required by these regulations to be issued in respect of that movement, to one of the following destinations in the United Kingdom—

(*a*) a hospital, medical or veterinary school, laboratory or similar institution for instructional or diagnostic purposes, a rennet manufacturer, a pharmaceutical extract supplier or a manufacturing chemist for the manufacture by him of pharmaceutical products;

(*b*) the premises of a processor for sterilisation by him;

(*c*) a zoological garden, menagerie, farm at which carnivorous animals are kept for the production of fur or maggot farm for the sole purpose of feeding of the animals on any such premises, but carcase meat or offal which has been rejected by one of the persons described in the definition of "specified offal" in regulation 2 as unfit for human consumption by reason of tuberculosis shall not be removed to any of the destinations specified in this sub-paragraph;

(*d*) the premises of a waste food processor licensed under the provisions of the Waste Food (Feeding to Livestock and Poultry) Order (Northern Ireland) 1974 to receive unprocessed waste food and in addition authorised in writing by the Department of Agriculture for Northern Ireland to receive unsterilised meat to which these regulations apply; or

(*e*) the premises of a person for preparation before further removal to a processor, or for storage before further removal to another destination referred to in this paragraph.

(2) There shall not be removed from any premises referred to in paragraph (1)(*a*) to (*e*) any meat unfit for human consumption or imported meat not intended for human consumption unless—

(*a*) that meat has been sterilised;

(*b*) that meat is removed from the premises referred to in paragraph (1)(*e*) and is intended to be delivered to another destination referred to in paragraph (1)(*a*) to (*e*) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 19;

(*c*) that meat cannot be disposed of at those premises because of a permanent or temporary closure thereof or a breakdown of the machinery installed therein or a trade dispute, and it is removed therefrom in accordance with an arrangement in writing with, and under the supervision of, an authorised officer of the district council in whose district those premises are situated to another destination referred to in paragraph (1)(*a*) to (*d*) or to a place where it is buried or destroyed; or

(*d*) that meat is removed from a hospital, medical or veterinary school, laboratory or similar institution in accordance with an arrangement in writing with, and under the supervision of, an authorised officer of the district council in whose district those premises are situated to another destination referred to in paragraph (1)(*a*) to (*d*) or to a place where it is buried or destroyed.

PART III

POSSESSION OF MEAT NOT STERILISED

Possession of meat not sterilised

18.—(1) Subject to paragraphs (2) and (3), a person shall not have in his possession—

(*a*) any meat removed from a slaughterhouse which is unfit for human consumption;

(*b*) any meat removed from a knackery;

(*c*) any imported meat removed from its port or other place of entry which is not fit, or not intended, for human consumption;

(*d*) any meat unfit for human consumption from any poultry or from any animal referred to in regulation 12(1); or

(*e*) any meat brought into Northern Ireland from England, Wales or Scotland which is unfit for human consumption,

unless it has been sterilised.

(2) The prohibition on possession imposed by paragraph (1) shall not apply in the case of any meat which—

(*a*) is in the possession of any person while in transit to a destination referred to in regulation 17(1)(*a*) under the authority of any movement permit required by these regulations to be issued in respect of that movement or, in the case of any meat brought into Northern Ireland from England, Wales or Scotland, accompanied by any consignment note or movement permit which relates to that meat;

(*b*) is in the possession of a person referred to in regulation 17(1)(*e*) at his premises or is in the possession of any person while in transit to a destination referred to in regulation 17(1)(*b*) to (*e*) under the authority of any movement permit required by these regulations to be issued in respect of that movement or, in the case of any meat brought into Northern Ireland from England, Wales or Scotland, accompanied by any consignment note or movement permit which relates to that meat; and, if so required by these regulations, has been stained;

(*c*) is in the possession of any person at any premises referred to in regulation 17(1)(*a*) to (*d*) for any purpose contemplated by those provisions or with a view to its removal from those premises in accordance with the provisions of regulation 17(2)(*c*) or (*d*) or is in the possession of any person while in transit from such premises in accordance with those provisions; or

(*d*) is in the possession of any person while in transit to a port or other place of exit in accordance with written arrangements under regulation 8(1)(*f*) or 11(1)(*f*).

(3) It shall be a defence for any person charged with a contravention of this regulation to prove—

(*a*) that he did not know, and could not with reasonable diligence have ascertained, that the meat was unfit for human consumption, removed from a knackery or, being imported meat, was not intended for human consumption, as the case may be;

(*b*) that any meat removed from a slaughterhouse, or port or other place of entry, became unfit for human consumption only after its removal; or

(*c*) that any meat brought into Northern Ireland from England, Wales or Scotland became unfit for human consumption only after its removal from a slaughterhouse.

PART IV

MOVEMENT DOCUMENTATION AND RECORDS IN RESPECT OF UNSTERILISED UNFIT MEAT

Authorisation for removal of unsterilised meat from a slaughterhouse, knackery or port or other place of entry

19.—(1) At least two working days before the day on which it is intended to remove unsterilised meat from any premises from which, by virtue of regulation 8, 11, 12, 14 or 17(2)(*b*), such meat may not be removed otherwise than under the authority of a movement permit issued pursuant to this regulation, the occupier of the premises, or the owner of the meat, shall apply to the district council in whose district those premises, or that meat, are located and shall give to that district council the following information—

(*a*) the day on which the removal is intended to take place;

(*b*) the description of meat intended to be moved;

(*c*) the address and description of the premises to which that meat is intended to be delivered; and

(*d*) the expected date of arrival of the meat at those premises.

(2) Upon receipt of an application a district council shall, without undue delay, satisfy itself that the premises to which it is intended to deliver the unsterilised meat the subject of the application are premises of a kind referred to in regulation 17(1) and are capable of processing or otherwise disposing of the meat. If the premises are situated in the district of another district council, the district council to whom the application was made shall notify that other council that the application has been made, and shall take into account any information obtained from that district council in reaching its decision as to the nature of the premises.

(3) When a district council is satisfied in respect of the matters referred to in paragraph (2) it shall thereafter issue to the applicant a movement permit in the form specified in the Schedule (comprised of an original and 3 copies) of which Part I has been duly completed by the district council.

(4) When the occupier of any premises, or the owner of any meat, to which this regulation applies regularly delivers unsterilised meat of a specific description to a particular destination, the district council in whose district the premises, or as the case may be the meat, are situated shall, on application being made to it stating the description of that meat and the address and description of that destination, authorise in advance each such movement by issuing such quantity of movement permits as it considers appropriate.

(5) The occupier of any premises from which unsterilised meat is removed under the authority of such a movement permit shall complete Part II

of the document delivered to him and shall give the original together with two copies thereof to the driver of the vehicle by which the meat is to be removed and shall retain the other copy for a period of two years.

(6) When the driver delivers the meat to the premises named in the movement permit given to him he shall give to the occupier of those premises that permit.

(7) The occupier shall then complete Part III of the movement permit and shall acknowledge receipt of the meat thus delivered to him by signing the original and its two copies and shall, within seven days from the date of receipt of the meat, send the original and one copy thereof to the district council in whose district his premises are situated.

(8) The occupier shall retain the other copy for a period of two years from the date on which he received the meat to which it relates.

(9) If the driver is unable to deliver the meat to the premises named in the movement permit given to him he shall without delay inform or cause to be informed either the district council by whom the permit was issued or the district council in whose district the premises are situated, who shall without delay authorise the delivery of the meat to another destination referred to in regulation 17(1) or, if no such alternative destination is available, require the meat to be returned to the premises from which it was removed, or to be buried or destroyed under its supervision. The driver shall hand the movement permit to the occupier of the premises to which the meat is delivered, or, in the case of its burial or destruction, to the supervising district council.

(10) The occupier of the premises to which the meat is delivered shall thereupon complete Part IV of the movement permit and acknowledge receipt of the meat to which the permit relates by signing the original and its two copies and shall, within seven days from the date of receipt of the meat, send the original and one copy to the district council in whose district his premises are situated.

(11) The occupier shall retain the other copy for a period of two years from the date on which he received the meat to which it relates.

(12) Any district council to which is sent a movement permit shall complete Part V thereof and shall send the original to the district council which issued it and shall retain the copy for a period of two years.

(13) Any person required by paragraph (5), (8) or (11) to retain a document shall make that document available for inspection by an authorised officer at any reasonable time.

Keeping of records in slaughterhouses

20.—(1) The occupier of a slaughterhouse shall maintain, in respect of any consignment of unsterilised meat which leaves the slaughterhouse, a legible, indelible record of any consignment of such meat which—

(*a*) has not been passed fit for human consumption after inspection in accordance with the Meat Inspection Regulations (Northern Ireland) 1984 or the Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962; or

(*b*) has been passed fit for human consumption in accordance with the said Regulations or the said Act but has subsequently been handled in the

slaughterhouse in such a manner that the inspector considers that it might be prejudicial to public health; or

(*c*) which has been passed fit for human consumption but is not intended for human consumption.

(2) The record referred to in paragraph (1) shall contain the information in regulation 23, shall be completed by or on behalf of the inspector immediately prior to despatch of the consignment and shall be retained by the occupier of the slaughterhouse for a period of at least three years from that date.

Keeping of records in knackeries

21.—(1) The occupier of a knackery shall maintain a legible, indelible record of any consignment of—

(*a*) any animals, carcases or unsterilised meat entering the knackery; and

(*b*) any unsterilised meat leaving the knackery.

(2) The record referred to in paragraph (1)(*a*) shall contain the following information—

(*a*) the quantity and species of animals or carcases;

(*b*) a description of the meat;

(*c*) the quantity of meat;

(*d*) the name and address of the supplier of the animals, carcases or meat; and

(*e*) the date of receipt.

(3) The record referred to in paragraph (1)(*b*) shall contain the information specified in regulation 23, shall be completed by the occupier immediately prior to dispatch of the consignment and shall be retained by him for a period of at least three years from that date.

Keeping of records in other premises

22.—(1) The occupier of any place referred to in regulation 12 shall maintain a legible, indelible record of any consignment of unsterilised unfit meat which leaves the premises in accordance with the provisions of that regulation.

(2) The occupier of any premises referred to in regulation 17 shall maintain a legible, indelible record of any consignment of unsterilised unfit meat which having been removed to those premises subsequently leaves the premises for another destination referred to in regulation 17.

(3) The record referred to in paragraphs (1) and (2) shall contain the information specified in regulation 23, shall be completed by the occupier immediately prior to dispatch of the consignment and shall be retained by him for a period of at least three years from that date.

Content of records

23. The record in respect of each consignment of unsterilised unfit meat dispatched from a slaughterhouse, knackery or other premises or place referred to in regulation 22, shall comprise—

(*a*) a description of the meat;

(*b*) the quantity of meat;

(*c*) the time and date of dispatch;

(*d*) the name and address of the person to whom the meat is sent;

(*e*) the type and registration of the vehicle or bulk container used for transporting the meat;

(*f*) the name and address of the owner of the vehicle or bulk container; and

(*g*) the expected time of delivery of the consignment.

PART V

TRANSPORT, STORAGE AND PACKAGING OF UNSTERILISED MEAT UNFIT OR NOT INTENDED FOR HUMAN CONSUMPTION

Transport

24.—(1) Any vehicle in which unsterilised meat which is unfit for human consumption is conveyed shall bear, in a prominent position, the following information—

(*a*) the name and address of the vehicle owner; and

(*b*) legible notices, as described in paragraph (2), on both sides and to the rear of the vehicle.

(2) The notices required under paragraph (1)(*b*) shall be not less than 300 millimetres in length by 150 millimetres in height, and contain, in letters not less than 30 millimetres in height, the words "Unfit meat — not for human consumption".

(3) That part of any vehicle in which unsterilised meat which is unfit for human consumption is conveyed shall be enclosed in such a manner as to prevent access by persons or animals and shall be kept closed and locked or sealed at all times except when necessary for the loading and unloading of the contents or for their examination by an authorised officer of a district council.

(4) That part of any vehicle in which unsterilised meat which is unfit for human consumption is conveyed shall be impervious.

(5) That part of any vehicle in which unsterilised meat which is unfit for human consumption is conveyed shall be thoroughly washed and disinfected before any meat which is fit for human consumption or other food is subsequently placed in the vehicle.

(6) Unsterilised meat which is unfit for human consumption may not be conveyed in the same vehicle at the same time as meat which is fit for human consumption or other food.

(7) In this regulation the expression "vehicle" means, in any case in which unsterilised meat is conveyed in a bulk container, that container.

(8) The requirement in paragraph (1) shall not apply in the case of unsterilised meat which is unfit for human consumption and is removed to a hospital, medical or veterinary school or similar institution for instructional, diagnostic or research purposes.

Storage

25.—(1) Subject to paragraph (2), unsterilised meat which is unfit for human consumption shall not be stored in the same room as meat which is fit for human consumption or other food.

(2) The requirement in paragraph (1) shall not apply where the district council has approved the joint storage which it shall only do if it is satisfied that the arrangements for storage will ensure the adequate separation of the meat which is unfit for human consumption from the meat which is fit for human consumption or other food.

(3) The owner of any unsterilised meat which is unfit for human consumption and which is being held in a store shall provide to the driver of any vehicle in which such meat is to be removed from the store a consignment note containing the information specified in regulation 23. The consignment note shall be signed by the occupier of the store (who shall retain a copy) and by the driver and shall be left by the driver with the recipient of the meat who shall sign the note and retain it for a period of three years.

Packaging

26.—(1) Any container, wrapper or packaging used to hold unsterilised meat which is unfit for human consumption shall bear a conspicuous, legible and unambiguous notice that its contents are not for human consumption.

(2) In the case of wrapped or packaged meat—

(*a*) the notice required under paragraph (1) shall also clearly state the name and address of the packer who wrapped or packaged the meat;

(*b*) the wrapper or packaging shall be destroyed after use.

PART VI

ENFORCEMENT, PENALTIES AND DEFENCE

Right of examination and seizure

27.—(1) An authorised officer may at all reasonable times examine any meat or whole dead poultry which he has reason to believe is not fit, or not intended, for human consumption and if it appears to him that the meat or whole dead poultry, being meat or whole dead poultry to which the requirements of Part II or III apply—

(*a*) is required to be but has not been sterilised;

(*b*) is required to be but has not been stained;

(*c*) is required to bear but does not bear a notice;

(*d*) is required to be, but is not, accompanied by a movement permit issued pursuant to regulation 19; or as the case may be,

(*e*) is required to be, but is not, the subject of written arrangements under regulation 8(1)(*f*) or 11(1)(*f*),

in accordance with those requirements, he may seize it and either remove it or, if removal is impracticable, order its detention, in order to have it dealt with by a justice of the peace.

(2) An officer who seizes any meat under paragraph (1) shall inform the person in whose possession the meat was found of his intention to have it dealt with by a justice of the peace, and any person who under Part II or III might be liable to prosecution in respect of the meat shall, if he attends before the justice of the peace, be entitled to be heard and call witnesses.

(3) If it appears to a justice of the peace that any meat brought before him, whether seized under the provisions of this regulation or not, is meat to which the requirements of Part II or Part III apply and is required to be but has not been dealt with in accordance with those requirements, he shall condemn it and order it to be destroyed or to be so dealt with.

(4) If a justice of the peace refuses to condemn any meat seized under this regulation by an authorised officer, the district council shall compensate the owner of the meat for any depreciation in its value resulting from its seizure and removal.

Right of examination and detention of any vehicle or container

28. If an authorised officer has reason to suspect that any vehicle or container contains any meat to which the requirements of Part II or III apply, he may examine the contents of the vehicle or container and for that purpose may, if necessary, detain the vehicle or container; and if the officer finds any meat to which the requirements of Part II or III apply and which is required to be but has not been dealt with in accordance with those requirements he may deal with it as meat falling within paragraph (1) of regulation 27 and paragraphs (2) to (4) of that regulation shall apply accordingly.

Disposal of unfit imported meat neither sterilised nor stained

29.—(1) If an authorised officer finds at a port or other place of entry any imported meat, being carcase meat, which is unfit, or not intended for human consumption and which has not been sterilised or stained, he shall notify the importer in writing that, unless within 24 hours after the notice is received the importer gives a written undertaking to the district council in whose district the meat is found, that he will within 14 days from the date of the undertaking—

(*a*) at his own expense—

(i) export the meat to which the notice relates; or

(ii) sterilise or stain the meat at the port or other place of entry or remove it therefrom to a destination referred to in regulation 17(1)(*a*); or

(*b*) prove in proceedings before a justice of the peace that the meat to which the notice relates is not required by these regulations to be sterilised or stained,

the meat may be destroyed or disposed of so that it cannot be used for human consumption.

(2) If within the time specified in any notice given under paragraph (1) the district council has not received such written undertaking as is described in the notice, or if within that time they have received an undertaking that the importer will at his own expense export, sterilise, stain or as the case may be remove the meat and the importer fails to export, sterilise, stain or as the case

may be remove the meat within 14 days after the receipt of the undertaking, that district council may cause it to be destroyed or disposed of under the supervision of an authorised officer by such means and in such manner as to prevent it from being used for human consumption.

(3) Where in pursuance of this regulation an importer has given an undertaking to prove that the meat to which the notice relates is not required by these regulations to be sterilised or stained, the district council shall within 24 hours after the receipt of the undertaking take steps to obtain the decision of a justice of the peace with respect thereto.

(4) Where in pursuance of this regulation an application is made to a justice of the peace in respect of any imported meat and he is satisfied that the importer has failed to prove that the meat is not required by these regulations to be sterilised or stained, he shall condemn the meat and order it to be destroyed or disposed of under the supervision of an authorised officer by such means and in such manner as to prevent it from being used for human consumption.

(5) If a justice of the peace refuses to condemn any meat in respect of which an application in pursuance of this regulation is made to him, the district council shall compensate the owner of the meat for any depreciation in its value resulting from the making of that application.

Penalties

30. If any person contravenes any provision of these regulations, or knowingly or recklessly makes a false statement or declaration in any document required by these regulations for the movement of any meat, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £2,000; and on conviction on indictment, to a fine or imprisonment for a term not exceeding 2 years, or both.

Defence of due diligence

31. In any proceedings for an offence under these regulations it shall be a defence for the accused to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

PART VII

REVOCATION

Revocation

32. The Meat (Sterilisation and Staining) Regulations (Northern Ireland) 1984(**a**) and the entry relating to those regulations in Schedule 2 to the Food (Revision of Penalties and Mode of Trial) Regulations (Northern Ireland) 1987(**b**) are hereby revoked.

(a) S.R. 1984 No. 416: as amended by S.R. 1987 No. 38
(b) S.R. 1987 No. 38: to which there are amendments not relevant to these regulations

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 22nd November 1989.

(L.S.) *R. McMurray*
Assistant Secretary

SCHEDULE (Regulation 19)

Unfit Meat: Movement Permit

PART I (to be completed by the district council which authorises the movement)

(1) Name and address of consignor: .....

.....

.....

.....

(2) Name of consignee and address of the premises to which meat is to be delivered: .....

.....

.....

.....

(3) Name and address of district council in whose district the address shown at (2) above is situated:

.....

.....

.....

(4) (Completion optional)

(*a*) Maximum quantity of meat which may be moved:

(*b*) Period within which the meat may be moved:

(5) *Authorisation*

The consignor named at (1) above is hereby authorised to despatch unfit meat to the consignee at the address shown at (2) above subject to any limitations set out at (4) above.

.....

(Signature of authorising officer)

.....

.....

.....

(Name and address of district council)

PART II (to be completed by the consignor)

(6) *Details of consignment*

(i) Description of material (species of animal, type of meat/offal, etc): .....

(ii) Quantity of material: .....

(iii) Number of containers: .....

(iv) Size and type of containers: .....

(v) Expected date of arrival: .....

(7) *Means of transport*

(i) Type of vehicle: .....

(ii) Registration number: .....

(iii) Name and address of owner: .....

.....

.....

(8) *Declaration*

I certify that the material described in (6) above was despatched today to the consignee at the address shown in (2) above using the means of transport described in (7) above.

.....

(Signature of consignor)

WARNING:
Any person who knowingly or recklessly makes a false statement or declaration in this document renders himself liable to prosecution

THIS FORM SHOULD NOW BE HANDED TO THE DRIVER OF THE VEHICLE, WHO SHOULD HAND IT TO THE CONSIGNEE ON ARRIVAL: KEEP ONE COPY FOR YOUR OWN RECORDS.

PART III (to be completed by the consignee)

(9) *Declaration*

I certify that the material described in (6) above was received at the address shown in (2) above on .....(date).

.....

(Signature of consignee)

.....

(Date)

WARNING:
Any person who knowingly or recklessly makes a false statement or declaration in this document renders himself liable to prosecution

THIS FORM SHOULD NOW BE SENT TO THE DISTRICT COUNCIL AT THE ADDRESS SHOWN AT (3) ABOVE: KEEP ONE COPY FOR YOUR OWN RECORDS

PART IV (to be completed by the person taking delivery of the material if it was NOT delivered to the consignee at the address shown in (2) above)

(10) Reason why material was not delivered to the address shown in (2) above:

(11) *Declaration*

I certify that the material described in (6) above was delivered to me at:—

..... (insert address)

on ..... (date).

WARNING:
Any person who knowingly or recklessly makes a false statement or declaration in this document renders himself liable to prosecution

.....
(Signature of person taking delivery of the material)

THIS FORM SHOULD NOW BE SENT TO YOUR DISTRICT COUNCIL'S ENVIRONMENTAL HEALTH DEPARTMENT: KEEP ONE COPY FOR YOUR OWN RECORDS.

PART V (to be completed by the district council in whose area the material was delivered)

Date of receipt of form: .....

.....
(Name of officer)

.....
(District Council)

THIS FORM SHOULD NOW BE RETURNED TO THE ORIGINATING DISTRICT COUNCIL SHOWN IN (5) ABOVE: ONE COPY SHOULD BE RETAINED.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations revoke, and re-enact with amendments, the Meat (Sterilisation and Staining) Regulations (Northern Ireland) 1984, as amended, (the "1984 regulations") and come into operation on 1st February 1990.

The regulations, in general, impose controls on the removal, method of transportation, storage, packaging and possession of meat which is, or is presumed to be, unfit for human consumption and which has not been sterilised or stained, and provide a format for record-keeping in respect of such unfit meat in premises which handle it.

The regulations as re-enacted provide as follows—

Part I provides the definitions which apply in the regulations and provides that certain categories of meat shall be presumed to be unfit for human consumption.

Part II requires that—

(*a*) all meat which fails inspection at a slaughterhouse;

(*b*) all meat in a knackery;

(*c*) unfit meat in any other place,

shall be sterilised or stained unless it is to be removed to a destination specified in regulation 17(1) and is, where required, accompanied by a movement permit issued pursuant to regulation 19.

Part III provides that a person shall not have unfit meat in his possession unless it has been sterilised, subject to exemptions in respect of meat in transit to a destination referred to in regulation 17.

Part IV provides for movement permits in respect of unsterilised or unstained unfit meat, and record-keeping in slaughterhouses, knackeries and other places.

Part V sets out conditions for the transportation, storage and packaging of unfit meat, and in particular provides for the marking of vehicles or containers in which unsterilised unfit meat is transported, and for the enclosing of such vehicles or containers. Unfit meat may not be stored in the same room as meat which is intended for human consumption, and the packaging of unfit meat shall clearly indicate that the contents are not for human consumption.

Part VI provides that authorised officers of district councils (environmental health officers) shall enforce the regulations, sets out penalties for offences and provides a defence of "due diligence" (ie that a person took all reasonable precautions and exercised due diligence to avoid committing an offence).

Part VII provides for revocation of the 1984 regulations, as amended.

The Schedule sets out the form of the movement permit issued pursuant to regulation 19.

The regulations do not apply to meat which is removed from any place or premises by a veterinary surgeon for examination by him or on his behalf.

The principal changes from the 1984 regulations are that—

(*a*) any meat which does not bear a mark to indicate that it has been passed as fit for human consumption, or any meat in a knackery, or on its way to, or from, a knackery, or imported meat which has not been legally imported, shall be presumed to be unfit for human consumption until the contrary is proved (regulation 3);

(*b*) unauthorised removal by any person of unfit meat from a slaughterhouse or knackery is now an offence (regulations 8 and 11);

(*c*) it is an offence to possess unsterilised, unfit meat, rather than, as in the 1984 regulations, it being necessary to prove that it was intended to sell such meat (regulation 18);

(*d*) there are further provisions as to record-keeping, and as to the content of records (regulations 20 to 23);

(*e*) there is a specific requirement as to the marking of vehicles or containers in which unfit meat is transported, and as to the size and wording of such markings (regulation 24);

(*f*) a defence of "due diligence" is available in respect of any proceedings under the regulations (this was previously restricted to proceedings in respect of storage and packaging) (regulation 31).

1989 Nos. 449-452

These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.