1969. No. 233 [C]

FOOD AND DRUGS

Food Hygiene

Meat—Sterilization

REGULATIONS, DATED 4TH SEPTEMBER 1969, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTIONS 13 AND 68 OF THE FOOD AND DRUGS ACT (NORTHERN IRELAND) 1958.

The Ministry of Health and Social Services, in exercise of the powers conferred upon it by sections 13 and 68 of the Food and Drugs Act (Northern Ireland) 1958(a), having consulted 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 (Sterilization) Regulations (Northern Ireland) 1969 and shall come into operation on 1st November 1969.

Interpretation

2. In these regulations—

"the Act" means the Food and Drugs Act (Northern Ireland) 1958;

"butchers' meat" means meat from any animal slaughtered in the United Kingdom for sale for human consumption;

"carcase" includes part of a carcase;

"competent authority" means an authority having power under the laws in force in any country to examine food and to certify as to its fitness for human consumption;

"imported meat" means meat originating outside the United Kingdom;

"knacker meat" means meat from any animal slaughtered in, or from any carcase brought into, a knackery in the United Kingdom;

"meat" does not include bones, blood, poultry, whalemeat or a whole dead animal, but does include offal and fat and any product of which a principal ingredient is meat;

"occupier" means in relation to any slaughterhouse the person licensed in respect thereof under the Slaughterhouses Act (Northern Ireland) 1953(b), and in relation to any knackery the person licensed under Section 105 of the Public Health (Ireland) Act 1878(c);

"processor" means any person who in the course of his processing business sterilizes meat;

(a) 1958. c. 27.
(b) 1953. c. 21.
(c) 41 & 42 Vict. c. 52.

"sale by retail" means any sale to a person buying otherwise than for the purpose of re-sale but does not include any sale of meat direct from a slaughterhouse or knackery, or, being imported meat, direct from its port or other place of entry, to—

(*a*) any hospital, medical or veterinary school or similar institution for instructional or diagnostic purposes;

(*b*) any processor for sterilization by him;

(*c*) any manufacturing chemist for the manufacture by him of pharmaceutical products;

(*d*) any zoological garden, menagerie, mink farm or trout farm; or

(*e*) any person for preparation for sale by him to a processor or manufacturing chemist;

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

"sterilized" means treated by boiling or by steam under pressure until every piece of meat is cooked throughout; or dry-rendered, digested or solvent-processed into technical tallow, greases, glues, feeding meals or fertilisers.

Savings

3. Nothing in these regulations shall—

(*a*) be construed as derogating from the provisions of the Diseases of Animals Act (Northern Ireland) 1958(**d**) or of any Order made under that Act;

(*b*) affect the disposal under Section 17 of the Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962(**e**) of meat or pig products unfit for human consumption.

PART II

UNFIT BUTCHERS' MEAT AND KNACKER MEAT

Unfit meat to be sterilized before removal from slaughterhouse

4. Subject to the provisions of these regulations, the occupier of a slaughterhouse shall not cause or permit to be removed from the slaughterhouse any meat which is unfit for human consumption, and no person shall so remove any such meat, unless it has first been sterilized:

Provided that it shall be a defence in any proceedings for any contravention of this regulation for the defendant to prove that he did not know, and could not with reasonable diligence have ascertained, that the meat was unfit for human consumption.

Meat to be sterilized before removal from knackery

5. Subject to the provisions of these regulations, the occupier of a knackery shall not cause or permit to be removed from the knackery any meat, and no person shall so remove any meat, unless it has first been sterilized.

(**d**) 1958. c. 13. (**e**) 1962 c. 13.

Exemptions from regulations 4 and 5

6. Nothing in regulations 4 and 5 shall apply to the removal from any slaughterhouse or knackery of any meat—

(*a*) to any hospital, medical or veterinary school or similar institution for instructional or diagnostic purposes;

(*b*) to any processor for sterilization by him, to any manufacturing chemist for the manufacture by him of pharmaceutical products, or to any zoological garden, menagerie, mink farm or trout farm, or to any person by arrangement in writing with an authorised officer for preparation before further removal to any processor or manufacturing chemist or for storage if such meat is in each case removed in a vehicle or impervious container which is kept closed and locked at all times except when necessary for the loading or unloading of the contents or their examination by an authorised officer and which bears a notice of adequate size and conspicuously visible containing a distinct, legible and unambiguous statement to the effect that the meat is not for human consumption.

No knacker meat or unfit butchers' meat to be in possession for sale unless sterilized

7.—(1) Subject to the provisions of these regulations, no person shall have in his possession for the purpose of sale or preparation for sale any butchers' meat which is unfit for human consumption or any knacker meat unless, in each case, it is sterilized:

Provided that it shall be a defence in any proceedings for any contravention of this regulation for the defendant to prove either—

(*a*) that he did not know and could not with reasonable diligence have ascertained, that the meat was unfit for human consumption or, as the case may be, was knacker meat, or

(*b*) that he had made arrangements for it to be sterilized without any unnecessary delay.

(2) Nothing in this regulation shall apply as respects any meat in any slaughterhouse or knackery or as respects any meat—

(*a*) in the possession of any person while in transit, in a vehicle or impervious container which is kept closed and locked at all times except when necessary for the loading or unloading of the contents or their examination by an authorised officer and which bears a notice of adequate size and conspicuously visible containing a distinct, legible and unambiguous statement to the effect that the meat is not for human consumption, from a slaughterhouse or knackery to—

(i) any processor;

(ii) any manufacturing chemist;

(iii) any zoological garden, menagerie, mink farm or trout farm;

(iv) any person by arrangement in writing with an authorised officer for preparation before removal to any processor or manufacturing chemist or for storage;

(*b*) in the possession of any person while in transit from a slaughterhouse or knackery to any hospital, medical or veterinary school or similar institution for instructional or diagnostic purposes;

(*c*) on the premises of—

(i) any processor for sterilization by him on those premises;

(ii) any manufacturing chemist for the manufacture by him on those premises of pharmaceutical products;

(iii) any zoological garden, menagerie, mink farm or trout farm;

(iv) any person by arrangement in writing with an authorised officer for preparation before removal to any processor or manufacturing chemist or for storage on those premises if that person's arrangements are suitable and sufficient for ensuring that the meat is kept segregated from other meat and he does not part with possession of the meat otherwise than on its destruction or its delivery or consignment to a processor or manufacturing chemist in a vehicle or impervious container which is kept closed and locked at all times except when necessary for the loading or unloading of the contents or their examination by an authorised officer and which bears a notice of adequate size and conspicuously visible containing a distinct, legible and unambiguous statement to the effect that the meat is not for human consumption;

(*d*) in transit to the premises of any processor or manufacturing chemist in a vehicle or container in accordance with sub-paragraph (*c*)(iv) above.

Exemptions

8.—(1) Where there are no facilities for sterilization in a slaughterhouse or knackery the provisions of this Part shall not apply as respects any meat removed from that slaughterhouse or knackery by arrangement in writing with an authorised officer to a place where it will be sterilized or destroyed.

(2) Nothing in this Part shall apply in relation to imported meat.

PART III

IMPORTED MEAT UNFIT FOR, OR NOT INTENDED FOR, HUMAN CONSUMPTION

Requirements when imported meat which is unfit for, or not intended for, human consumption is stored in, or removed from, the port or other place of entry

9. No person shall remove or cause to be removed from its port or other place of entry, or place or cause to be placed in storage at its port or other place of entry—

(*a*) any imported meat which is unfit for human consumption,

(*b*) any meat, other than the meat of a rabbit or hare, imported from the Republic of Ireland or the Channel Islands for the purpose of sale otherwise than for human consumption which does not bear a meat inspection stamp of a competent authority in the Republic of Ireland or the Channel Islands, as the case may be,

(*c*) any imported meat, other than the meat of a rabbit or hare, which has been imported from any place elsewhere than the Republic of Ireland or the Channel Islands without an official certificate for the time being recognised by the Ministry in accordance with the provisions of the Imported Food (Northern Ireland) Regulations 1968(f).

unless, in each case, that meat is sterilized or unless every piece thereof or every package containing any of that meat bears a notice of adequate size

(f) S.I. 1968/98.

and conspicuously visible containing a distinct, legible and unambiguous statement to the effect that the meat is unfit for human consumption or that it is not for human consumption.

Imported meat which is unfit for, or not intended for, human consumption not to be in possession for sale unless sterilized

10.—(1) Subject to the provisions of these regulations, no person shall have in his possession for the purpose of sale or preparation for sale—

(*a*) any imported meat which is unfit for human consumption,

(*b*) any meat, other than the meat of a rabbit or hare, imported from the Republic of Ireland or the Channel Islands for the purpose of sale otherwise than for human consumption which, at the time of importation, did not bear a meat inspection stamp of a competent authority in the Republic of Ireland or the Channel Islands, as the case may be,

(*c*) any imported meat, other than the meat of a rabbit or hare, which has been imported from any place elsewhere than the Republic of Ireland or the Channel Islands without an official certificate for the time being recognised by the Ministry in accordance with the provisions of the Imported Food (Northern Ireland) Regulations 1968,

unless, in each case, that meat is sterilized:

Provided that it shall be a defence in any proceedings for any contravention of this regulation for the defendant to prove either—

(i) that he did not know, and could not with reasonable diligence have ascertained, that that meat was meat to which the foregoing provisions of this regulation apply; or

(ii) that he had made arrangements for it to be sterilized without any unnecessary delay.

(2) Nothing in this regulation shall apply as respects any meat—

(*a*) in the possession of any person while in transit, in a vehicle or impervious container which is kept closed and locked at all times except when necessary for the loading or unloading of the contents or their examination by an authorised officer and which bears a notice of adequate size and conspicuously visible containing a distinct, legible and unambiguous statement to the effect that the meat is not for human consumption, from its port or other place of entry to—

(i) any processor;

(ii) any manufacturing chemist;

(iii) any zoological garden, menagerie, mink farm or trout farm;

(iv) any person by arrangement in writing with an authorised officer for preparation before removal to any processor or manufacturing chemist or for storage;

(*b*) in the possession of any person while in transit from its port or other place of entry to any hospital, medical or veterinary school or similar institution for instructional or diagnostic purposes;

(*c*) on the premises of—

(i) any processor for sterilization by him on those premises;

(ii) any manufacturing chemist for the manufacture by him on those premises of pharmaceutical products;

(iii) any zoological garden, menagerie, mink farm or trout farm;

(iv) any person by arrangement in writing with an authorised officer for preparation before removal to any processor or manufacturing

chemist or for storage on those premises if that person's arrangements are suitable and sufficient for ensuring that the meat is kept segregated from other meat and he does not part with possession of the meat otherwise than on its destruction or its delivery or consignment to a processor or manufacturing chemist in a vehicle or impervious container which is kept closed and locked at all times except when necessary for the loading or unloading of the contents or their examination by an authorised officer and which bears a notice of adequate size and conspicuously visible containing a distinct, legible and unambiguous statement to the effect that the meat is not for human consumption;

(*d*) in transit to the premises of any processor or manufacturing chemist in a vehicle or container in accordance with sub-paragraph (*c*)(iv) above.

PART IV

SALES

Meat unfit for, or not intended for, human consumption and knacker meat not to be sold by retail unless sterilized

11. No person shall sell, or offer or expose for sale, by retail—

(*a*) any butchers' meat or imported meat which in either case is unfit for human consumption or any knacker meat,

(*b*) any meat, other than the meat of a rabbit or hare, imported from the Republic of Ireland or the Channel Islands for the purpose of sale otherwise than for human consumption which, at the time of importation, did not bear a meat inspection stamp of a competent authority in the Republic of Ireland or the Channel Islands, as the case may be,

(*c*) any imported meat, other than the meat of a rabbit or hare, which has been imported from any place elsewhere than the Republic of Ireland or the Channel Islands without an official certificate for the time being recognised by the Ministry in accordance with the provisions of the Imported Food (Northern Ireland) Regulations 1968,

unless, in each case, that meat is sterilized:

Provided that it shall be a defence in any proceedings for any contravention of this regulation for the defendant to prove that he did not know, and could not with reasonable diligence have ascertained, that that meat was meat to which the foregoing provisions of this regulation apply.

PART V

ADMINISTRATION AND GENERAL

Record of consignment or delivery of meat

12.—(1) Any person responsible for the consignment or delivery, in any of the circumstances described in these regulations, of—

(*a*) any meat which is unfit for human consumption,

(*b*) any knacker meat,

(*c*) any meat, other than the meat of a rabbit or hare, which has been imported from the Republic of Ireland or the Channel Islands for the

purpose of sale otherwise than for human consumption and which, at the time of importation, did not bear a meat inspection stamp of a competent authority in the Republic of Ireland or the Channel Islands, as the case may be, or

(*d*) any imported meat, other than the meat of a rabbit or hare, which has been imported from any place elsewhere than the Republic of Ireland or the Channel Islands without an official certificate for the time being recognised by the Ministry in accordance with the provisions of the Imported Food (Northern Ireland) Regulations 1968,

shall give or send with the said meat to the person by whom or on whose behalf the meat is to be received a notice bearing information relating to the said meat including particulars of the date of its consignment or delivery, the quantity and the description thereof and the respective names and addresses of the person responsible for its consignment or delivery, as the case may be, and of the person by whom or on whose behalf it is to be received.

(2) The person responsible for the consignment or delivery of meat as mentioned in the last preceding paragraph shall retain a copy of the said notice, and the person by whom or on whose behalf the notice is received shall retain the original thereof, as a record in each case for a period of three months after the date of the said consignment or delivery and each shall on request by an authorised officer produce the same for inspection by him at any time during that period.

Right of seizure

13.—(1) An authorised officer may at all reasonable times examine any meat not intended for human consumption which has been sold, or is offered or exposed for sale or is in the possession of, or has been deposited with or consigned to, any person for the purpose of sale or preparation for sale; and if it appears to him that the meat, being meat to which the requirements of Part II, III or IV apply—

(*a*) is required to be but has not been sterilized, or, as the case may be,

(*b*) is required to bear but does not bear a notice,

in accordance with those requirements, he may seize it and remove it 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, III or IV might be liable to a prosecution in respect of the meat shall, if he attends before the justice of the peace, be entitled to be heard and to 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, III or IV 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 health authority shall compensate the owner of the meat for any depreciation in its value resulting from its seizure and removal.

Right of examination

14.—(1) Subject to the provisions of this regulation, if an authorised officer has reason to suspect that any vehicle or container contains any meat to

which the requirements of Part II, III or IV apply, and which is intended for sale or is in the course of delivery after sale, 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, being meat to which the requirements of Part II, III or IV 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 13 and paragraphs (2) to (4) of that regulation shall apply accordingly.

Penalties

15. If any person contravenes or fails to comply with any of the foregoing provisions he shall be guilty of an offence and shall be liable on summary conviction—

(*a*) to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment; and

(*b*) in the case of a continuing offence, to a further fine not exceeding five pounds for each day during which the offence continues after conviction.

Revocation

16. The Meat (Staining and Sterilization) Regulations (Northern Ireland) 1963(g) are hereby revoked.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 4th day of September 1969.

(L.S.)

S. E. Taylor,
Assistant Secretary.

(g) S.R. & O. (N.I.) 1963, No. 52.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations supersede the Meat (Staining and Sterilization) Regulations (Northern Ireland) 1963 and come into operation on 1st November 1969.

The regulations require all knacker meat and meat (other than the meat of a rabbit or hare) which is imported otherwise than for human consumption, as well as all butchers' meat or imported meat which in either case is unfit for human consumption, to be sterilized before entering the chain of distribution. They also require that imported meat which is unfit for human consumption or imported otherwise than for human consumption and without an official certificate or meat inspection stamp and which is stored in or removed from the port or other place of entry shall be sterilized or shall bear a notice to the effect that the meat is not fit for human consumption. The different categories of meat to which the regulations relate are defined in regulation 2.

Provision is made whereby manufacturing chemists, zoos, menageries, mink farms, trout farms and processors may obtain such meat unsterilized if it is transported in locked containers or vehicles. Supplies of meat to hospitals, medical or veterinary schools or similar institutions for instructional or diagnostic purposes are unaffected by the regulations.

The regulations also require that on consignment or delivery of specified meat a notice be given or sent therewith giving particulars of the meat and the names and addresses of the persons from and to whom it is being conveyed (regulation 12).

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This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.