STATUTORY INSTRUMENTS

1969 No. 871

FOOD AND DRUGS

FOOD HYGIENE

The Meat (Sterilization) Regulations 1969

Made - - - -	*24th June* 1969
Laid before Parliament	*4th July* 1969
Coming into Operation	*1st November* 1969

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Social Services, acting jointly, in exercise of the powers conferred on them by sections 13 and 123 of the Food and Drugs Act 1955(a), as read with the Secretary of State for Social Services Order 1968(b), and of all other powers enabling them in that behalf, hereby make the following regulations, after consultation with such organisations as appear to them to be representative of interests substantially affected by the regulations and reference to the Food Hygiene Advisory Council under section 82 of the said Act:—

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Meat (Sterilization) Regulations 1969; and shall come into operation on 1st November 1969.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

"the Act" means the Food and Drugs Act 1955;

"authorised officer" means an authorised officer of a council and for the purposes of these regulations has the meaning assigned to it by section 86 of the Act;

"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;

"contravention" in relation to any provision of these regulations includes a failure to comply with that provision;

"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 knacker's yard in the United Kingdom;

(a) 4 & 5 Eliz. 2. c. 16. (b) S.I. 1968/1699 (1968 III, p. 4585).

"local authority" has the meaning assigned to it by section 85 of the Act;

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

"the Minister" means the Minister of Agriculture, Fisheries and Food;

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

"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 knacker's yard, or, being imported meat, direct from its port of entry, to any hospital, medical or veterinary school or similar institution for instructional or diagnostic purposes or to any processor for sterilization by him or to any manufacturing chemist for the purpose of the manufacture by him of pharmaceutical products or to any zoological garden, menagerie, mink farm or trout farm or to any person for preparation for sale by him to a processor or manufacturing chemist; and "sell by retail" shall be construed accordingly;

"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 fertilizers:

AND other expressions have the same meaning as in the Act.

(2) The Interpretation Act 1889(a) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament and as if these regulations and the regulations hereby revoked were Acts of Parliament.

Saving

3. Nothing in these regulations shall affect the operation of any Act, or any order made under the Diseases of Animals Act 1950(b), relating to the sterilization of waste food for feeding to animals.

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 knacker's yard

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

(a) 1889 c. 63. (b) 1950 c. 36.

Exemptions from regulations 4 *and* 5

6. Nothing in regulations 4 and 5 of these regulations shall apply to the removal from any slaughterhouse or knacker's yard of any meat—

(*a*) to any hospital, medical or veterinary school or similar institution for instructional or diagnostic purposes or to any manufacturing chemist for the manufacture by him of pharmaceutical products;

(*b*) to any processor for sterilization by him, 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 knacker's yard 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 knacker's yard to—

(i) any processor;

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

(iii) 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 knacker's yard to any hospital, medical or veterinary school or similar institution for instructional or diagnostic purposes or to any manufacturing chemist for the manufacture by him of pharmaceutical products;

(*c*) on the premises—

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

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

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

(iv) of 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 knacker's yard the provisions of this Part of these regulations shall not apply as respects any meat removed from that slaughterhouse or knacker's yard by arrangement in writing with an authorised officer to a place where it will be sterilized or destroyed.

(2) Nothing in this Part of these regulations 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 of entry

9. No person shall remove or cause to be removed from its port of entry or place or cause to be placed in storage at its port 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 Minister in accordance with the provisions of the Imported Food Regulations 1968(**a**),

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 and conspicuously visible containing a distinct, legible and unambiguous statement to

(**a**) S.I. 1968/97 (1968 I, p. 272).

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 Minister in accordance with the provisions of the Imported Food 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 of entry to—

(i) any processor;

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

(iii) 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 of entry to any hospital, medical or veterinary school or similar institution for instructional or diagnostic purposes or to any manufacturing chemist for the manufacture by him of pharmaceutical products;

(*c*) on the premises—

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

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

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

(iv) of 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 Minister in accordance with the provisions of the Imported Food 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 Minister in accordance with the provisions of the Imported Food 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 3 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 of these regulations 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) of this regulation 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 of these regulations 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 of these regulations 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 council 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 of these regulations 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 of these regulations 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 of these regulations and paragraphs (2) to (4) of that regulation shall apply accordingly.

(2) Nothing in this regulation shall authorise the detention of—

(*a*) any vehicle belonging to the British Railways Board, the London Transport Board or the National Freight Corporation and used by any of them for the purposes of their undertaking;

(*b*) any vehicle belonging to a railway company and used by them for the purposes of their undertaking; or

(*c*) any authorised vehicle used for the purpose of his business as a carrier of goods by a person holding an A licence or a B licence under Part IV of the Road Traffic Act 1960(**a**).

Penalties and enforcement

15.—(1) If any person contravenes or fails to comply with any of the foregoing provisions of these regulations he shall be guilty of an offence and shall be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both, and, 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.

(2) Each local authority shall enforce and execute such provisions in their district:

Provided that each port health authority shall enforce and execute such provisions in their district.

Application of various sections of the Act

16.—(1) Sections 113 (which relates to a contravention due to some person other than the person charged), 115(2) (which relates to the conditions under which a warranty may be pleaded as a defence) and 116 (which relates to offences in relation to warranties and certificates of analysis) of the Act shall apply for the purposes of these regulations as if references therein to proceedings, or a prosecution, under or taken or brought under the Act included references to proceedings, or a prosecution as the case may be, taken or brought for an offence under these regulations.

(2) Paragraph (*b*) of the proviso to section 108 (1) of the Act shall apply for the purposes of these regulations as if the reference therein to section 116 of the Act included a reference to that section as applied by these regulations.

Revocation

17.—(1) The Meat (Staining and Sterilization) Regulations 1960(**b**) are hereby revoked.

(2) The Food and Drugs (Legal Proceedings) Regulations 1962(**c**), as amended (**d**), shall be further amended by deleting therefrom regulation 5 thereof.

(**a**) 1960 c. 16. (**b**) S.I. 1960/1268 (1960 II, p. 1523).
(**c**) S.I. 1962/1287 (1962 II, p. 1378).
(**d**) There is no amendment which relates expressly to the subject matter of these regulations.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th June 1969.

(L.S.)

Cledwyn Hughes,
Minister of Agriculture,
Fisheries and Food.

R. H. S. Crossman,
Secretary of State for Social Services.

24th June 1969.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which apply to England and Wales only, supersede the Meat (Staining and Sterilization) Regulations 1960, as amended, 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 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(1).

Provision is made whereby 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 and to manufacturing chemists for the manufacture of pharmaceutical products 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).

The regulations are to be enforced by local authorities and port health authorities and prescribe the maximum penalties provided for in section 106 of the Food and Drugs Act 1955.