STATUTORY RULES OF NORTHERN IRELAND

2003 No. 9

FOOD

Animal By-Products (Identification) (Amendment) Regulations (Northern Ireland) 2003

Made - - - -	*8th January 2003*
Coming into operation	*1st April 2003*

The Department of Health, Social Services and Public Safety(**1**) in exercise of the powers conferred on it by Articles 15(1)(c), (d) and (f), 25(3) and 47(2) of, and paragraph 3 of Schedule 1 to, the Food Safety (Northern Ireland) Order 1991(**2**) and of all other powers enabling in in that behalf, having had regard in accordance with Article 47(3A) of the said Order to relevant advice given by the Food Standards Agency and after consultation as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**3**) and in accordance with Article 47(3) and (3B) of the said Order, hereby makes the following Regulations:–

Citaion and commencement

1. These Regulations may be cited as the Animal By-Products (Identification) (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 1st April 2003.

Amendments to the Animal By-Products (Identification) Regulations (Northern Ireland) 1999

2.—(1) The Animal By-Products (Identification) Regulations (Northern Ireland) 1999(**4**) are amended in accordance with the following paragraphs.

(2) In regulation 2 (interpretation)–

(**1**) Formerly the Department of Health and Social Services; *see*S.I. 1999/283 (N.I. 1), Article 3

(**2**) S.I. 1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12) and paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c. 28. Functions formerly exercisable by the Department of Agriculture (now the Department of Agriculture and Rural Development; *see* Article 3 of S.I. 1999/283 (N.I. 1)) are now exercisable by the Department of Health, Social Services and Public Safety pursuant to paragraph 27 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c. 28. Regulation 13(4) of S.R. 2000 No. 78 expressly authorises the Department of Health, Social Services and Public Safety to amend or revoke existing Regulations made or having effect as if made by the Department of Agriculture and Rural Development (whether with others or not) under the Food Safety (Northern Ireland) Order 1991

(**3**) O.J. No. L31, 1.2.2002, p. 1

(**4**) S.R. 1999 No. 418, as amended by S.R. 2000 No. 78 and S.R. 2002 No. 238

(a) for the definition of "the 1993 Regulations" there shall be substituted the following definition–

> ""the 2002 Order" means the Animal By-Products Order (Northern Ireland) 2002(**5**);";

(b) the following definition is inserted between the definition of "animal by-products premises" and the definition of "carcase"—

> ""approved premises" means premises which are approved under Article 7 of the 2002 Order;"; and

(c) the definition of "sterilised" is revoked.

(3) In paragraph (1) of regulation 3 (meaning of "animal by-product"), "direct" is revoked.

(4) In paragraph (a) of regulation 4 (scope), "sterilisation or" is revoked.

(5) In each of sub–paragraphs (d) and (e) of paragraph (2) of regulation 5 (exemptions), for "the 1993 Regulations" there is substituted "the 2002 Order".

(6) In regulation 6 (sterilisation and staining of animal by-products in cold stores, cutting premises, game processing facilities or slaughter-houses)–

(a) in the heading, "Sterilisation and" is revoked;

(b) in paragraph (1), "sterilised or" is revoked;

(c) paragraph (2)(a) is revoked;

(d) in paragraph (2)(b)—

(i) the word "or", where it appears at the end of head (i), is revoked, and

(ii) after head (ii) there is inserted the following head–

> "(iii) is immediately moved, in the manner specified in paragraph (4), to approved premises for rendering there, or to premises which are adequately separated from the cold store, cutting premises, game processing facility or slaughter-house concerned for incineration there in accordance with Article 12 of the 2002 Order.";

(e) paragraph (2)(c) is revoked;

(f) in paragraph (3)–

(i) for "paragraph (2)(a) or (b)" there is substituted "paragraph (2)(b)", and

(ii) "sterilised or, as the case may be," is revoked; and

(g) for paragraph (4) there is substituted the following paragraph–

> "(4) The manner is that the animal by-product is moved through a sealed and leak-proof pipe which connects the cold-store, cutting premises, game processing facility or slaughter-house concerned directly with the relevant approved premises or, as the case may be, premises at which the animal by-product is to be incinerated.".

(7) In regulation 7 (sterilisation and staining of animal by-products in animal by-products premises)–

(a) in the heading, "Sterilisation and" is revoked;

(b) in paragraph (1)–

(i) for "paragraph (2)" there is substituted "paragraphs (2) and (3)", and

(ii) "sterilised or" is revoked; and

(c) for paragraphs (2) and (3) there are substituted the following paragraphs–

(**5**) S.R. 2002 No. 209