STATUTORY RULES OF NORTHERN IRELAND

2001 No. 286

ANIMALS

Catering Waste (Feeding to Livestock) Order (Northern Ireland) 2001

Made - - - -	*23rd July 2001*
Coming into operation	*20th August 2001*

The Department of Agriculture and Rural Development(**1**), in exercise of the powers conferred on it by Articles 2(3), 5, 19, 29(1), 44 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**2**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Catering Waste (Feeding to Livestock) Order (Northern Ireland) 2001 and shall come into operation on 20th August 2001.

Interpretation

2.—(1) In this Order—

"animal" includes poultry;

"approved disinfectant" means a disinfectant for the time being approved by the Department under the Diseases of Animals (Approval of Disinfectants) Order (Northern Ireland) 1972(**3**);

"catering waste" means the following products when they are no longer intended for human consumption—

(a) waste from catering and domestic waste;

(b) waste from the production of products which are intended to be used for human consumption without further cooking; or

(c) waste from the production of bread, cakes, pasta, pastry, pizzas and similar products (whether or not intended to be used for human consumption without further cooking);

"container" means a bin, box, skip or other receptacle used for the carriage of catering waste which is not self-propelled;

(**1**) Formerly the Department of Agriculture for Northern Ireland: see S.I.1999/283 (N.I. 1)Art. 3(4)
(**2**) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1994/1891 (N.I. 6) Article 23(1)
(**3**) S.R. & O. (N.I.) 1972 No. 16

"disease" means Foot and Mouth disease, Swine Vesicular disease, African Swine Fever, Classical Swine Fever, Newcastle disease, Avian influenza, Vesicular Stomatitis;

"livestock" means—

(a) any creature, including fish, kept for the production of food, wool, skin or fur, and any creature, other than a dog, kept for use in the farming of land; and

(b) any ruminant animal, pig, poultry or equine animal;

"the Department" means the Department of Agriculture and Rural Development;

"the 1981 Order" means the Diseases of Animals (Northern Ireland) Order 1981;

"used cooking oil" means catering waste consisting of oils and fats from food-processing and the by-products of such oils and fats (other than any such oils and fats derived in any way from ruminant bones) where these are collected from food businesses (as such term as defined in Article 2 of Council Directive 93/43(**4**) on the hygiene of foodstuffs).

Extension of definitions of "animals" and "poultry"

3. For the purposes of the 1981 Order in its application to this Order—

(a) the list of animals in Part I of Schedule 1 to the 1981 Order is hereby extended so as to comprise—

(i) any kind of mammal except man, and

(ii) any kind of four-footed beast which is not a mammal;

(iii) fish, reptiles and crustaceans; and

(iv) other cold blooded creatures of any species;

(b) the list of poultry in Part II of Schedule 1 to the 1981 Order is hereby extended so as to comprise birds of every species; and

(c) the list of diseases in Parts III and IV of Schedule 1 to the 1981 Order are hereby extended so as to comprise all diseases of animals and birds.

Application

4. The provisions of Articles 5 to 7 and 9 shall apply to catering waste (other than used cooking oil) which:

(a) contains or has been in contact with animal carcases, parts of animal carcases (including blood) or products of animal origin (other than milk or milk products, eggs, rennet, gelatin or melted fat which have been incorporated into another product); or

(b) originates from any premises where any animal carcases, parts of animal carcases (including blood) or products of animal origin (with the exceptions referred to in sub-paragraph (*a*)) are handled or where foodstuffs containing or coming into contact with animal carcases, parts of animal carcases (including blood) or products of animal origin (with the exceptions referred to in sub-paragraph (*a*)) are prepared or produced.

Feeding catering waste to livestock

5.—(1) A person shall not feed or cause or permit to be fed, to any livestock, or allow any livestock to have access to, any catering waste to which this Article applies, or any feedingstuffs which have been in contact with it.

(**4**) O.J. No. L175, 19.07.93, p. 1

(2) A person shall not bring catering waste to which this Article applies onto any premises where any livestock are kept.

Transport of catering waste

6.—(1) A person shall not use or cause or permit to be used any vehicle for the removal of catering waste to which this Article applies unless the material is—

(a) carried in a leak-proof container which is closed by a tightly fitting lid or other cover which prevents spillage and both the container and the lid or other cover are capable of being cleansed and disinfected; or

(b) enclosed by impervious material capable of being thoroughly cleansed and disinfected and the vehicle is so constructed as to prevent any leakage or spillage of that material out of the vehicle.

(2) Any vehicle, tarpaulin or other cover and any reusable container used in the transport of catering waste to which this Article applies shall be maintained in a clean condition.

(3) A person shall not place or carry any livestock, feedingstuffs intended for feeding to livestock or anything intended to be used for or about any livestock in any vehicle or container which contains catering waste to which this Article applies.

Collection or holding of catering waste

7. The owner or person in charge of any premises used for the collection or holding of catering waste to which this Article applies shall ensure that such material is collected or held on the premises in such a manner as to prevent the leakage or escape of any effluent and so that no animals or birds can gain access to that material.

Catering waste from a means of transport from outside Northern Ireland

8.—(1) A person shall not feed or, cause or permit to be fed to any livestock, or allow any livestock to have access to—

(a) any catering waste originating in Northern Ireland; or

(b) any catering waste brought into Northern Ireland and originally intended for consumption on the means of transport in which it was brought and to which Article 5 does not apply, or any feedingstuffs which have been in contact with such catering waste.

(2) Catering waste shall not be landed in Northern Ireland from any vessel, aircraft, hovercraft or road or other vehicle except in leak proof bags which are immediately placed in a leak-proof container which is closed by a tightly fitting lid or other cover which prevents spillage and both that container and its lid or other cover are capable of being cleansed and disinfected.

(3) A person shall not remove catering waste, or permit it to be removed, from any place where it has been landed except in accordance with a licence issued by the Department.

(4) Subject to paragraph (3), the owner or person in charge of the vessel, aircraft or road or other vehicle from which catering waste is landed shall, under such supervision as the Department may require, take that catering waste or cause it to be taken in a container, which complies with the requirements of paragraph (2), to the nearest place approved by the Department where he shall ensure that it is incinerated or immediately buried.

(5) Any container, and its lid or other cover, used to transport catering waste in accordance with this Article shall be thoroughly cleansed and disinfected with an approved disinfectant immediately after each such use.

(6) A person shall not discharge or cause or permit to be discharged from an aircraft over Northern Ireland or from an aircraft, vessel or hovercraft within 3 miles of the coast of Northern Ireland any