STATUTORY RULES OF NORTHERN IRELAND

2001 No. 186

FOOD
ANIMALS
ANIMAL HEALTH

Restriction on Pithing Regulations (Northern Ireland) 2001

Made - - - -	*30th April 2001*
Coming into operation—	
(a) in the case of all provisions other than regulation 3	*11th June 2001*
(b) in the case of regulation 3	*10th September 2001*

The Department of Health, Social Services and Public Safety(**1**) and the Department of Agriculture and Rural Development(**2**) being Departments designated(**3**) for the purposes of section 2(2) of the European Communities Act 1972(**4**) in relation to the common agricultural policy of the European Community, acting jointly, in exercise of the powers conferred on them by that section and of every other power enabling them in that behalf, hereby make the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Restriction on Pithing Regulations (Northern Ireland) 2001 and shall come into operation—

(a) in the case of all provisions other than regulation 3, on 11th June 2001; and

(b) in the case of regulation 3, on 10th September 2001.

(2) The Interpretation Act (Northern Ireland) 1954(**5**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(**1**) Formerly the Department of Health and Social Services; *see*S.I.1999/283 (N.I. 1) Article 3(6)
(**2**) Formerly the Department of Agriculture for Northern Ireland; *see* S.I. 1999/283 (N.I. 1) Article 3(4)
(**3**) S.I. 1972/1811
(**4**) 1972 c. 68
(**5**) 1954 c. 33 (N.I.)

Restriction on pithing

2.—(1) A person shall not pith any bovine, ovine or caprine animal prior to slaughtering it for sale for human or animal consumption.

(2) For the purposes of this regulation—

(a) to "pith" an animal is to lacerate, after stunning, its central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity; and

(b) "sale" includes supply, otherwise than on sale, in the course of a business, whether carried on for profit or not.

(3) Any person who contravenes paragraph (1) shall be guilty of an offence.

Disposal of illegally pithed animals

3. Where any bovine, ovine or caprine animal has been pithed in contravention of regulation 2(1), all parts of its carcase (except the hide) shall be deemed to be—

(a) "specified risk material" as defined in Article 2(1) of the Specified Risk Material Order (Northern Ireland) 1997(**6**); and

(b) "specified risk material" as defined in regulation 2(1) of the Specified Risk Material Regulations (Northern Ireland) 1997(**7**).

Amendment to the Welfare of Animals (Slaughter or Killing) Regulations (Northern Ireland) 1996

4. The Welfare of Animals (Slaughter or Killing) Regulations (Northern Ireland) 1996(**8**) are amended by the insertion of the following regulation immediately after regulation 3 (application and exemptions) –

"**Immobilisation after stunning**

3A.—(1) Nothing in these Regulations shall be taken as permitting the immobilisation, on or after 11th June 2001, of any bovine, ovine or caprine animal prior to slaughtering it for sale for human or animal consumption.

(2) In paragraph (1)—

(a) the "immobilisation" of an animal means the laceration, after stunning, of its central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity; and

(b) "sale" includes supply, otherwise than on sale, in the course of a business, whether carried on for profit or not.".

Powers of inspectors

5.—(1) An inspector shall, on producing if so required some duly authenticated document showing his authority, have the right at all reasonable hours to enter any land or premises (other than domestic premises not being used in connection with these Regulations) for the purpose of ascertaining if there is or has been a breach of regulation 2(1).

(**6**) S.R. 1997 No. 551 as amended by S.R. 2001 No. 1
(**7**) S.R. 1997 No. 552 as amended by S.R. 2000 No. 295 and S.R. 2001 No. 48
(**8**) S.R. 1996 No. 558 as amended by S.R. 2000 No. 76, S.R. 2000 No. 78 and S.R. 2001 No. 66