STATUTORY RULES OF NORTHERN IRELAND

2000 No. 287

FOOD

Meat (Disease Control) Regulations (Northern Ireland) 2000

Made - - - -	*3rd October 2000*
Coming into operation	*6th November 2000*

Whereas it appears to the Department of Health, Social Services and Public Safety(**1**) that it is necessary or expedient—

(a) for the purposes of securing that food complies with food safety requirements and in the interests of public health; and

(b) for the purpose of protecting or promoting the interests of consumers,

to make the following Regulations;

Now therefore, that Department, in exercise of the powers conferred by Articles 15(1), (2) and (3), 16(1), 18(1), 25, 44, 47(2) and 48(2) of, and paragraphs 5, 6(1)(*a*) and 7(1) and (2) of Schedule 1 to, the Food Safety (Northern Ireland) Order 1991(**2**) and of every power enabling it in that behalf, and being a Department 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, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, and after consultation, in accordance with Article 47(3) of the said Order of 1991, with such organisations as appear to it to be representative of interests likely to be substantially affected by the Regulations and having regard, in accordance with Article 47(3A) of the said Order of 1991, to any relevant advice given by the Food Standards Agency, hereby makes the following Regulations—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Meat (Disease Control) Regulations (Northern Ireland) 2000 and shall come into operation on 6th November 2000.

(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**) 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
(**3**) S.I. 1972/1811
(**4**) 1972 c. 68
(**5**) 1954 c. 33 (N.I.)

Amendments to the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997

2. The Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997(**6**) shall be amended as follows—

(a) in paragraph (3) of regulation 12 (general conditions)—

(i) the word "or" separating sub-paragraphs (*c*) and (*d*) shall be revoked;

(ii) the phrase "cutting premises;" shall be substituted for the phrase "cutting premises." in sub-paragraph (*d*); and

(iii) the following sub-paragraphs shall be inserted after sub-paragraph (*d*)—

"(e) fresh meat obtained from domestic sheep, goats or solipeds which have not been held in Community territory for at least 21 days on the date of slaughter, or from birth in the case of animals which are less than 21 days old;

(f) fresh meat obtained from animals which—

(i) come from a holding or area which, at the time of their departure from the holding or area concerned, was subject to a prohibition or restriction as a result of the outbreak of foot and mouth disease, swine fever, swine vesicular disease or contagious swine paralysis (Teschen disease); and

(ii) are susceptible to the particular disease referred to in sub-paragraph (i) which led to the prohibition or restriction being imposed;

(g) fresh meat obtained from a slaughterhouse while that slaughterhouse was itself under restriction by virtue of an Order under the Diseases of Animals Order (Northern Ireland) 1981(**7**) following the confirmation there of foot and mouth disease, swine fever, swine vesicular disease or contagious swine paralysis (Teschen disease);

(h) (without prejudice to sub-paragraph (*f*)) fresh meat obtained from swine, sheep or goats originating from a holding which at the time of their departure from the holding concerned was subject to a prohibition for health reasons (as provided for by Article 4 of Council Directive 72/461/EEC(**8**) on health problems affecting intra-Community trade in fresh meat, as amended by amendments up to and including those effected by Council Decision 95/1/EC, Euratom, ECSC(**9**)) as a result of an outbreak of porcine, ovine or caprine brucellosis; or

(i) any fresh meat which has not been obtained, cut, stored and transported either separately or at a different time from the meat referred to in any of sub-paragraphs (*e*) to (*h*).";

(b) in Schedule 12 (health marking)—

(i) in paragraph 1, for "paragraphs 2 and 7", there shall be substituted "paragraphs 2, 7 and 8";

(ii) in paragraph 2, for "Regulation 12(3)", there shall be substituted "any of sub-paragraphs (*a*) to (*d*) of paragraph (3) of regulation 12";

(**6**) S.R. 1997 No. 493 as amended by S.R. 1998 No. 237, S.R. 2000 No. 78 and S.R. 2000 No. 191
(**7**) S.I. 1981/1115 (N.I. 22)
(**8**) O.J. No. L302, 31.12.72 (Special Edition 1972 31 Dec (3) p. 3)
(**9**) O.J. No. L1, 1.1.95, p. 1

(iii) the following paragraph shall be inserted at the end—

"**8.** In the case of the fresh meat referred to in any of sub-paragraphs (*e*) to (*i*) of paragraph (3) of regulation 12, the health mark required by paragraph 1 or 2 shall be—

(a) overstamped in such a way that it is covered by a diagonal cross consisting of two straight lines crossing at right angles, with the point of intersection in the centre of the stamp and the information thereon remaining legible; or

(b) applied with a single mark consisting of the health mark referred to in paragraph 1 or 2 overstamped in accordance with sub-paragraph (*a*).".

Amendments to the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1995

3. The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1995(**10**) shall be amended as follows—

(a) in paragraph (3) of regulation 13 (general conditions) sub-paragraph (*c*) shall be replaced by the following—

"(c) fresh meat which has been—

(i) marked in accordance with paragraph 6 of Schedule 11; or

(ii) has not been obtained, cut, stored and transported separately or at a different time from meat which has been marked in accordance with paragraph 6 of Schedule 11;";

(b) in regulation 13, after paragraph (3) there shall be inserted the following paragraph—

"(3A) A person shall not consign or sell for consignment to any relevant EEA State, or a region of any relevant EEA State or a region of Great Britain, which has been recognised in accordance with Article 12(2) of Council Directive 90/539/EEC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs(**11**), as amended by amendments up to and including those effected by Council Decision 95/1/EC, Euratom, ECSC, any meat which comes from a bird which has been vaccinated against Newcastle disease with a live vaccine during the 30 days preceding the date of slaughter.";

(c) in Schedule 11 (health marking), paragraph 6 shall be replaced by the following paragraph —

"**6.**—(1) Subject to paragraph 7, the health mark required by paragraph 1 or 4 shall be overstamped or applied as specified in sub-paragraph (2) in cases where fresh meat—

(a) is obtained from any bird which comes from a holding—

(i) in relation to which a notice has been served under Article 6 of the Diseases of Poultry Order (Northern Ireland) 1995(**12**) restricting movements to or from that holding; or

(ii) which, at the time of the bird's departure from the holding concerned, was under restriction by virtue of an Order under the Diseases of

(**10**) S.R. 1995 No. 396 as amended by S.R. 1997 No. 496, S.R. 1998 No. 237, S.R. 2000 No. 78 and S.R. 2000 No. 191
(**11**) O.J. No. L303, 31.10.90, p. 6
(**12**) S.R. 1995 No. 465

Animals (Northern Ireland) Order 1981 relating to any disease to which poultry is susceptible;

(b) is obtained from any bird which has come into contact with a bird suffering from avian influenza or Newcastle disease during transport from the holding to the slaughterhouse;

(c) is obtained from a slaughterhouse while that slaughterhouse is under restriction by virtue of an Order under the Diseases of Animals (Northern Ireland) Order 1981 relating to avian influenza or Newcastle disease; or

(d) is suspected or may reasonably be suspected of having been contaminated by avian influenza or Newcastle disease at the slaughterhouse, cutting premises, cold store or during transportation.

(2) The health mark shall be—

(a) overstamped in such a way that it is covered by a diagonal cross consisting of two straight lines crossing at right angles, with the point of intersection in the centre of the stamp and the information thereon remaining legible; or

(b) applied with a single mark, consisting of the health mark referred to in paragraph 1 or 4, overstamped in accordance with paragraph (*a*) of this sub-paragraph .".

Amendments to the Meat Products (Hygiene) Regulations (Northern Ireland) 1997

4. The Meat Products (Hygiene) Regulations (Northern Ireland) 1997(**13**) shall be amended as follows—

(a) in regulation 2(1)—

(i) after the definition of "raw material" there shall be inserted the following definition —

""relevant EEA State" means an EEA State other than Iceland;";

(ii) after the definition of "treatment" there shall be inserted the following definition—

""United Kingdom EC health mark" means the United Kingdom EC health mark described in paragraph 1 of Part VI of Schedule 2;";

(b) regulation 8 shall be renumbered regulation 8.—(1) and after that paragraph there shall be added the following paragraphs—

"(2) A person shall not apply the United Kingdom EC health mark to, or consign or sell for consignment to a relevant EEA State for human consumption a meat product prepared in whole or in part from any meat referred to in—

(a) any of sub-paragraphs (*e*) to (*i*) of paragraph (3) of regulation 12 of the Fresh Meat Regulations; or

(b) paragraph 6 of Schedule 11 to the Poultry Meat Regulations,

unless the meat product has undergone treatment in accordance with paragraph D of Part VIII of Schedule 2.

(3) Any meat product to which paragraph (2) applies shall—

(a) be prepared only under official veterinary supervision and must be protected from any contamination or recontamination; and

(b) notwithstanding regulation 12(2), be accompanied during transportation by the health certificate referred to in regulation 12(1)(*c*).

(**13**) S.R. 1997 No. 494, as amended by S.R. 1999 No. 193, S.R. 2000 No. 78 and S.R. 2000 No. 191