STATUTORY RULES OF NORTHERN IRELAND

1998 No. 188

AGRICULTURE

Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations (Northern Ireland) 1998

Made - - - -	*18th May 1998*
Coming into operation	*6th July 1998*

The Department of Agriculture, being a Department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Community, in the exercise of the powers conferred on it by the said section 2(2), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations (Northern Ireland) 1998 and shall come into operation on 6th July 1998.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(2) In these Regulations—

"authorised officer" means an officer of the Department authorised to act for the purposes of these Regulations;

"the Department" means the Department of Agriculture for Northern Ireland;

"mammalian meat and bone meal" and "protein" shall have the same meaning as in the Fertilisers (Mammalian Meat and Bone Meal) Regulations (Northern Ireland) 1998(**4**).

(**1**) S.I.1972/1811
(**2**) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.I. 1994/2795 (N.I. 15)
(**3**) 1954 c. 33 (N.I.)
(**4**) S.R. 1998 No. 187

Restriction on the production of mammalian meat and bone meal for use as or in the production of fertilisers

3. A person shall not manufacture mammalian meat and bone meal for use as or in any fertiliser except by a rendering process in which—

(a) the particle size of the raw material prior to processing is reduced so that no particle has a maximum dimension which exceeds 50mm; and

(b) the material is heated to a core temperature of more than 133°C for at least 20 minutes at a pressure of at least 3 bar.

Powers of authorised officers

4.—(1) An authorised officer shall, on producing, if required to do so, his authority, have the right to enter at any reasonable time any premises (other than premises used as a dwelling) for the purposes of ascertaining whether there is or has been on the premises any contravention of these Regulations.

(2) An authorised officer entering any premises in accordance with the provisions of paragraph (1) may take with him such other persons acting under his instructions as he considers necessary.

(3) An authorised officer shall have powers to carry out all checks and examinations necessary for the enforcement of these Regulations, and in particular may—

(a) take such samples (and, if necessary, send the samples for laboratory testing) as are necessary to ascertain whether the provisions of these Regulations have been or are being complied with;

(b) examine, seize and retain documentary or other material relevant to the checks carried out under these Regulations;

(c) (where any such material is kept in electronic form) require a printout of that material; and

(d) take with him a representative of the European Commission acting for the purposes of Council Directive 90/667/EEC(**5**) laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedstuffs of animal or fish origin and amending Directive 90/425/EEC(**6**), as amended on the date on which these Regulations are made.

(4) In this regulation "premises" includes any land, place, installation, vehicle, ship, vessel, boat, craft, hovercraft or aircraft.

Obstruction

5.—(1) A person shall not—

(a) intentionally obstruct any person acting in the execution of these Regulations;

(b) without reasonable cause, fail to give to any person acting in the execution of these Regulations any assistance or information which that person may reasonably require of him for the purposes of his functions under these Regulations, or

(c) furnish to any person acting in the execution of these Regulations any information which he knows to be false or misleading.

(2) Nothing in paragraph (1)(*b*) shall be construed as requiring any person to answer any question or give any information if to do so might incriminate him.

(**5**) O.J. No. L363, 27.12.90, p. 51, as last amended by Council Decision 95/1/EC (O.J. No. L1, 1.1.95, p. 1)
(**6**) O.J. No. L224, 18.8.90, p. 29