STATUTORY RULES OF NORTHERN IRELAND

1998 No. 187

AGRICULTURE

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

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

The Department of Agriculture, in exercise of the powers conferred on it by sections 66(1), 74A(1) and (2), 84 and 86(1), (2), (3) and (9) of the Agriculture Act 1970(**1**) and of every other power enabling it in that behalf, after consultation in accordance with section 84(1) of that Act with such persons or organisations as appear to it to represent the interests concerned, hereby makes the following Regulations:

Citation and commencement

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

Interpretation

2. In these Regulations—

"agricultural land" means land used or capable of use for the purposes of a trade or business in connection with agriculture;

"agriculture" includes fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, osier land, the use of land for woodlands, and horticulture (except the propagation of plants and the growing of plants within greenhouses and glass or plastic structures);

"mammalian meat and bone meal" means mammalian protein derived from the whole or part of any dead mammal by the process of rendering;

"non-agricultural land" means any land which is not agricultural land;

"protein" means any proteinaceous material which is derived from a carcase but does not include—

(a) any milk product;

(**1**) 1970 c. 40; section 74A was inserted by the European Communities Act 1972 (c. 68), Schedule 4, paragraph 6, and there are other amendments to the Act not relevant to these Regulations

(b) dicalcium phosphate derived from bones;

(c) dried plasma or any other blood product;

(d) gelatin; or

(e) amino acids produced from hides and skins by a process which involves exposure of the material to acid of a pH lower than 2 followed by alkali of a pH greater than 11 and heat treatment at a minimum of 140°C for 30 minutes at a pressure of 3 bar.

Prohibition on mammalian meat and bone meal as or in fertiliser on agricultural land

3. A person shall not—

(a) sell or have in possession with a view to sale, for use as a fertiliser on agricultural land; or

(b) use as a fertiliser on agricultural land,

any mammalian meat and bone meal or any material derived from or containing mammalian meat and bone meal to any extent.

Restriction on mammalian meat and bone meal as or in fertiliser in other cases

4.—(1) Subject to paragraph (2), a person shall not—

(a) sell or have in possession with a view to sale, for use as a fertiliser on non-agricultural land; or

(b) use as a fertiliser on non-agricultural land,

any mammalian meat and bone meal or any material derived from or containing mammalian meat and bone meal to any extent unless the mammalian meat and bone meal concerned was manufactured in accordance with regulation 3 of the Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations (Northern Ireland) 1998(**2**).

(2) Nothing in paragraph (1) shall prevent—

(a) the sale for use on any land other than agricultural land;

(b) the possession with a view to such sale; or

(c) the use on any such land,

of any fertiliser consisting solely of mammalian meat and bone meal or derived from or containing mammalian meat and bone meal to any extent if that mammalian meat and bone meal was manufactured before the date of coming into operation of these Regulations and the contract for its purchase by the manufacturer of that fertiliser was made before that date.

(3) In this regulation, the references to mammalian meat and bone meal being "manufactured" are references to the rendering process by which the mammalian meat and bone meal concerned was derived.

Revocations

5. The Fertilisers (Mammalian Meat and Bone Meal) Regulations (Northern Ireland) 1996(**3**) and the Fertilisers (Mammalian Meat and Bone Meal) (Amendment) Regulations (Northern Ireland) 1996(**4**) are hereby revoked.

(**2**) S.R. 1998 No. 188
(**3**) S.R. 1996 No. 165
(**4**) S.R. 1996 No. 458