STATUTORY RULES OF NORTHERN IRELAND

1998 No. 158

AGRICULTURE

Bovine Hides Regulations (Northern Ireland) 1998

Made - - - -	*23rd April 1998*
Coming into operation	*1st June 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 Communities, in 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, commencement and revocation

1.—(1) These Regulations may be cited as the Bovine Hides Regulations (Northern Ireland) 1998 and shall come into operation on 1st June 1998.

(2) The Bovine Hides Regulations 1997(**3**) are hereby revoked insofar as they apply in relation to Northern Ireland and accordingly in regulation 2 of those Regulations, in the definition of "the appropriate Minister" paragraph (*c*) is hereby revoked.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(2) In these Regulations—

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

"approved incinerator" means an incinerator approved by the Department under regulations 5 and 23 of the Specified Risk Material Regulations (Northern Ireland) 1997(**5**);

"approved rendering plant" means a rendering plant approved by the Department under regulations 5 and 24 of the Specified Risk Material Regulations (Northern Ireland) 1997 or approved by the Department under regulation 3;

(**1**) S.I.1972/1811
(**2**) 1972 c. 68
(**3**) S.I. 1997/813
(**4**) 1954 c. 33 (N.I.)
(**5**) S.R. 1997 No. 552

"authorised officer" means a person appointed by the Department to act as such for the purposes of these Regulations;

"Commission Regulation 716/96" means Commission Regulation (EC) No. 716/96(**6**) adopting exceptional support measures for the beef market in the United Kingdom, as last amended by Commission Regulation (EC) No. 2423/96(**7**);

"controlled hide" means the hide of any animal slaughtered in pursuance of either of the schemes on or after the commencement of these Regulations, from the time of its removal from the carcase until it is processed;

"controlled waste" means—

(a) trimmings, fleshings and by-products derived from a controlled hide;

(b) where a controlled hide is split before it is tanned, and the split is not tanned, that split; and

(c) protein or tallow produced by rendering other controlled waste;

"processed", in relation to a hide, means processed to the wet-tanned stage of the tanning process;

"registered", in relation to a hide dealer or tannery controller, means registered under regulation 3;

"the schemes" means—

(a) the scheme introduced by Commission Regulation 716/96, for the purchase of bovine animals aged more than 30 months which do not show clinical signs of bovine spongiform encephalopathy and which were, during a period of 6 months prior to their sale, present on a holding located on the territory of the United Kingdom; and

(b) the selective cull, as defined in regulation 2 of the Selective Cull (Enforcement of Community Compensation Conditions) Regulations (Northern Ireland) 1996(**8**);

"scheme animal" means a bovine animal slaughtered under either of the schemes;

"scheme slaughterhouse" means a slaughterhouse where scheme animals are slaughtered.

Registration, approvals and directions

3.—(1) The Department may on application register a person as a hide dealer or tannery controller, if it is satisfied that the person has the necessary facilities to—

(a) ensure that any controlled hide in his possession is reasonably secure against theft;

(b) produce the returns required under regulation 7 in a timely fashion and to keep the records required under that regulation in a manner which will facilitate the inspection of those records by an authorised officer in accordance with regulation 9(3)(*a*); and

(c) carry out all other functions of a hide dealer or tannery controller (as the case may be) in accordance with these Regulations.

(2) For the purposes of these Regulations, the Department may on application, approve a place as an approved rendering plant if it is satisfied that it has the facilities to—

(a) process controlled waste without risk to human or animal health;

(b) process controlled waste separately from all other material without any contamination occurring; and

(c) satisfy the record keeping requirements imposed under regulation 7(6).

(**6**) O.J. No. L99, 19.4.96, p. 14
(**7**) O.J. No. L329, 19.12.96, p. 43
(**8**) S.R. 1996 No. 595

(3) Any approval or registration granted under these Regulations shall be in writing and may be made subject to conditions and be amended, suspended or revoked at any time by notice in writing, served on the person to whom the approval or registration was granted if the Department is satisfied that the conditions of these Regulations, or any conditions subject to which such approval or registration was granted, are not being complied with.

(4) Any direction given under these Regulations shall be in writing by means of a notice addressed to each person to whom that direction relates.

General requirements in relation to controlled hides

4.—(1) Except as provided in paragraph (2), a person shall not buy, sell or otherwise deal with a controlled hide unless—

(a) he is a registered hide dealer or a registered tannery controller;

(b) he keeps and transports it in a place which is physically separated from any place in which any hide other than a controlled hide is kept or transported; and

(c) he keeps records of his dealings with that hide in accordance with regulation 7.

(2) The operator of a scheme slaughterhouse may sell a controlled hide.

(3) A person shall not sell or deliver a controlled hide to any person other than a registered hide dealer or a registered tannery controller.

(4) A person shall not remove trimmings or fleshings from a controlled hide, or split a controlled hide, except at a scheme slaughterhouse or a tannery controlled by a registered tannery controller.

Additional requirements in relation to tanneries

5.—(1) A registered tannery controller shall ensure that—

(a) each controlled hide delivered to him is either processed or treated as controlled waste;

(b) controlled hides delivered to him are stored and processed separately from any other hides; and

(c) any place in which, or equipment with which, controlled hides are stored or processed is thoroughly cleansed before it is used to store or process any other hide or other material.

(2) A registered tannery controller shall ensure that all controlled waste is either—

(a) stained immediately it is removed from the hide, by being treated (whether by immersion, spraying or other application) with a 0.5% weight/volume solution of the colouring agent CI Acid Green (Colour Index No. 44025(**9**)) in such a way that the colouring is clearly visible over the whole surface of the material; or

(b) (in the case of trimmings and splits) processed as if it were a controlled hide.

(3) Once controlled waste has been removed from the hide and stained in accordance with paragraph (2)(*a*), the person responsible for its removal and staining shall—

(a) ensure that it is placed in an impervious sealed container, the exterior surface of which is clearly marked to show that it contains controlled waste; and

(b) without unreasonable delay, send it directly to an approved incinerator or an approved rendering plant.

(**9**) Colour Index is published by the Society of Dyers and Colourists of Perkin House, 82 Grattan Road, Bradford, West Yorkshire, BD1 2JB