STATUTORY RULES OF NORTHERN IRELAND

1997 No. 552

FOOD SAFETY

The Specified Risk Material Regulations (Northern Ireland) 1997

Made - - - - 29th December 1997

Coming into operation 1st January 1998

Whereas it appears to the Department of Agriculture, acting as the Department concerned that it is necessary or expedient—

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

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

to make the following Regulations;

Now therefore the said Department concerned, in exercise of the powers conferred by Articles 15(1), (2) and (3), 16(1), 18(1), 25, 26(3) and 47(2) of and paragraphs 2(1), 3, 5 and 6(1) of Schedule 1 to the Food Safety (Northern Ireland) Order 1991(**1**) and of every other power enabling it in that behalf, and after consultation, in accordance with Article 47(3) of that Order, with such organisations that appear to it to be representative of interests substantially affected by the Regulations, hereby makes the following Regulations:

Part I

Preliminary

Citation and commencement

1. These Regulations may be cited as the Specified Risk Material Regulations (Northern Ireland) 1997 and shall come into operation on 1st January 1998.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

(**1**) S.I. 1991 No. 762 (N.I. 7) as amended by S.I. 1996 No. 1633 (N.I. 12)

"approved" in relation to any incinerator means approved by the Department for the purposes of regulation 23;

"approved", in relation to cutting premises or a slaughterhouse, means approved by the Department for the purposes of regulation 15;

"class I specified risk material" means—

(a) class I specified bovine material;

(b) class I specified sheep and goat material;

but does not include material derived from animals which—

(i) were slaughtered or died outside the United Kingdom before 1st January 1998; or

(ii) were born, reared and slaughtered in Australia or New Zealand;

"class II specified risk material" means—

(a) class II specified bovine material;

(b) class II specified sheep and goat material;

(c) any part of the ruminant animal remaining attached to class I or II specified bovine material or class I or II specified sheep and goat material after dissection of the carcase; and

(d) any animal material which comes into contact with class I or II specified bovine material or class I or II specified sheep and goat material after it has been removed from the carcase;

"collection centre" means any premises approved by the Department under and for the purposes of regulation 22;

"consignment record" means in relation to any consignment of specified risk material, protein or tallow, a record of, as the case may be—

(a) the date on which the consignment was dispatched or received (as the case may be);

(b) the weight of the consignment; and

(c) the person and the place to whom the consignment was dispatched or from whom it was received;

"cutting premises" has the meaning given in the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997(**2**);

"Department" means Department of Agriculture;

"inspector" means a person designated as such in accordance with regulation 7(2) of the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997;

"intestines" means that part of the digestive tract of a bovine animal from the junction of the abomasum and the duodenum to (and including) the rectum and anal sphincter;

"licensed", in relation to cutting premises or a slaughterhouse, means licensed under the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997;

"official veterinary surgeon" means a person designated as such in accordance with regulation 7(1) of the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997;

"the Order" means the Food Safety (Northern Ireland) Order 1991;

"rendering plant" means any premises approved by the Department under and for the purposes of regulation 24;

(**2**) S.R. 1997 No. 493

"rendering" means, in relation to any animal material, subjecting that material to any of the systems of treatment or procedures mentioned in Schedule 4 to the Animal By-Products Regulations (Northern Ireland) 1993(**3**);

"ruminant animal" means a bovine animal, a sheep or a goat;

"scheme animal" means a bovine animal—

(a) which has been slaughtered pursuant to the purchase scheme introduced under Commission Regulation (EC) No. 716/96(**4**) adopting exceptional support measures for the beef market in the United Kingdom; or

(b) which, being an animal which has been exposed to bovine spongiform encephalopathy, the Department has caused to be slaughtered under paragraph 10A of Part I of Schedule 2 to the Diseases of Animal Order (Northern Ireland) Order 1981(**5**);

"sealed vehicle" means a vehicle sealed in accordance with regulation 18(3);

"specified bovine material" has the meaning given in regulation 4;

"specified risk material" means—

(a) class I and class II specified bovine material;

(b) class I and class II specified sheep and goat material; and

(c) specified solid waste;

"specified sheep and goat material" has the meaning given in regulation 3;

"specified solid waste" means any solid matter resulting from the slaughter of any ruminant animal or from the subsequent processing of the carcases of such an animal and which is collected in any part of the drainage system draining any place where specified bovine material or specified sheep and goat material is handled;

"tallow" means fat derived from animal tissues by a process of rendering;

"vertebral column" means the whole or any part thereof and includes the sacrum but does not include the coccygeal vertebrae; and

"young lamb stamp" means the stamp described in regulation 16(2).

(2) In these Regulations the expression "mechanical means" does not include the use of hand held powered knives which do not use powered pressure or suction.

(3) The provisions of these Regulations shall apply to specified bovine material from scheme animals, except that the provisions appearing in Column 1 of the Table in Schedule 2 shall apply only to the extent, and subject to the modifications, specified opposite hereto in Column 2.

(4) In these Regulations "stained blue" in relation to any material means being treated (whether by immersion, spraying or other application) with a 0.5% weight/volume solution of the colouring agent Patent Blue V (E131, 1971 Colour Index No. 42051)(**6**) in such a way that the colouring is clearly visible—

(a) (in the case of specified risk material other than the head of a sheep or goat) over the whole surface of the material; and

(b) (in the case of the head of a sheep or goat) over the whole of the cut surface and majority of the head.

(5) In these Regulations "stained yellow" in relation to any material means being treated (whether by immersion, spraying or other application) with 0.5% weight/volume solution of the colouring

(**3**) S.R. 1993 No. 192
(**4**) O.J. No. L99, 19.4.96, p. 14, to which there are amendments not relevant to this Order
(**5**) S.I. 1981 No. 1115 (N.I. 22)
(**6**) Colour Index is published by the Society of Dyers and Colourists at Perkin House, 82 Grattan Road, Bradford, West Yorkshire BD1 2JB

agent Tartrazine (E102, Colour Index No. 19140) in such a way that the colouring is clearly visible over the whole surface of the material.

Specified sheep and goat material

3.—(1) In these Regulations "class I specified sheep or goat material" means—

(a) in relation to material derived from a sheep or goat which at the time it was slaughtered or died either had one or more permanent incisor teeth erupted through the gum or was aged more than 12 months—

(i) the skull, including the brain and eyes;

(ii) the tonsils;

(iii) the spinal cord; and

(b) the spleen of a sheep or goat.

(2) In these Regulations "class II specified sheep or goat material" means the head of any sheep or goat which was slaughtered or died in the United Kingdom except—

(a) any part of it which is class I specified sheep or goat material;

(b) the horns, where they are removed from the head—

(i) immediately after slaughter;

(ii) before the head is removed from the carcase; and

(iii) without breaking into the cranial cavity; and

(c) the tongue, where it is removed from the head immediately after slaughter and before the head is stained.

(3) Whole carcases of sheep and goats are class II specified sheep or goat material if they are removed to be rendered whole from the place where they were slaughtered or have died.

Specified bovine material

4.—(1) In these Regulations, "class I specified bovine material" in relation to a bovine animal means—

(a) the skull, including the brain and eyes, tonsils and spinal cord, of an animal which was slaughtered or has died outside the United Kingdom at an age greater than 12 months;

(b) the brains, spinal cord, thymus, tonsils, spleen and intestines of an animal which was slaughtered or has died in the UK at an age greater than six months; and

(c) the skull (including the eyes) of an animal which was slaughtered or has died in the United Kingdom at an age greater than 12 months.

(2) In these Regulations "class II specified bovine material" in relation to a bovine animal means —

(a) the head of an animal which was slaughtered or has died in the United Kingdom at an age of six months or greater, except—

(i) any part of the head which is class I specified bovine material; and

(ii) the tongue, where it is removed from the head immediately after slaughter and before the head is stained; and

(b) the thymus and intestines of an animal which—

(i) died or was slaughtered in the United Kingdom at an age of two months or greater but less than six months; or

(ii) was slaughtered in the United Kingdom at an age of less than two months for human consumption.

(3) A whole carcase of a bovine animal which was slaughtered or has died in the United Kingdom shall not be treated for the purposes of these Regulations as class I or class II specified bovine material.

Approvals

5. Any approval or registration granted under these Regulations (and any consent given under regulation 24(8))—

(a) shall be in writing;

(b) may be made subject to conditions; and

(c) may be amended, suspended or revoked by the Department at any time by notice in writing served on the occupier of the premises to which the approval, registration or consent relates if the Department is satisfied that, in relation to the premises, any provisions of these Regulations or any conditions in the approval, registration or consent, are not being complied with.

Part II

Restrictions of the use of specified risk material and vertebral columns of ruminant animals

Specified risk material for human consumption

6.—(1) A person shall not sell for human consumption any specified risk material or any food containing specified risk material.

(2) A person shall not use any specified risk material in the preparation of food for sale for human consumption.

(3) A person shall not sell any specified risk material for use in the preparation of any food for sale for human consumption.

(4) For the purposes of this regulation "specified risk material" includes anything derived from it.

(5) This regulation shall not apply to food containing specified risk material derivied only from animals which were slaughtered or died outside the United Kingdom which is either—

(a) a food not listed in Schedule 1 to the Specified Risk Material Order (Northern Ireland) 1997(**7**); or

(b) a food which is so listed, but it was, or any ingredients in it containing specified risk material were, imported in accordance with Article 6 of that Order.

Prohibitions applying to the vertebral column

7.—(1) A person shall not use the vertebral column of a ruminant animal in the recovery of meat by mechanical means.

(2) A person shall not use, in the preparation of food for sale for human consumption, any meat which has been recovered by mechanical means from the vertebral column of a ruminant animal.

(**7**) S.R. 1997 No. 551