STATUTORY RULES OF NORTHERN IRELAND

1997 No. 540

FOOD

The Beef Bones Regulations (Northern Ireland) 1997

Made - - - -	*15th December 1997*
Coming into operation	*16th December 1997*

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

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

(b) for the purposes of protecting or promoting the interest of consumers, to make the following Regulations;

Now therefore the said Department concerned, in the exercise of the powers conferred on it by Articles 15(1), (3), 25, 26(3) and 47(2) of, and paragraphs 2(1), 3, 5(1) 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 the said Order with such organisations as appear to it to be representative of interests likely to be substantially affected by these Regulations, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Beef Bones Regulations (Northern Ireland) 1997 and shall come into operation on 16th December 1997.

Interpretation

2.—(1) In these Regulations —

"additive" means any substance not normally consumed as a food in itself and not normally used as a characteristic ingredient of food, whether or not it has nutritional value, used in the preparation, packaging, transport or storage of food which results, or may reasonably be expected to result, in it or its by-products becoming directly a component of the food;

"bone-in beef" means a carcass or any fresh meat, which contains or to which there is attached any bone;

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

"bone" means any bone (including bone marrow and any part of a bone) of a bovine animal, including the bones of the tail and feet, but excluding cartilage;

"bovine animal" means any bovine animal aged over six months at slaughter which is a food source, including buffalo of the species *Bubalis bubalis* and *Bison bison*;

"carcase" means the whole body of a slaughtered bovine animal;

"deboning" means removing any bone from bone-in beef;

"Department" means Department of Agriculture;

"enforcement authority" shall be construed in accordance with regulation 12(1);

"fresh meat" means any part of a bovine animal suitable for human consumption, including chilled or frozen meat, which has not undergone any preserving process and includes any meat vacuum wrapped or wrapped in a controlled atmosphere;

"ingredient" means any substance, including any additive, which is used in the preparation of a food and which is still present in the finished product, even if in altered form;

"occupier" in relation to any premises means the person carrying on a food business on those premises; and

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

"ultimate consumer" means any person who buys otherwise than for the purposes of a food business.

(2) For the purposes of these Regulations the age at slaughter of a bovine animal shall be ascertained —

(a) in the first instance by reference to records kept in relation to that animal by the Department (in whatever form); or

(b) where necessary, by dentition.

(3) For the purposes of these Regulations, the delivery in the course of a business of bone-in beef to or to the order of its owner for human consumption shall be deemed to be a sale.

Bone-in beef

3.—(1) A person shall not sell any bone-in beef to the ultimate consumer for human consumption.

(2) A person shall not use any bone-in beef in the preparation of any food or ingredient for sale direct to the ultimate consumer.

Bones

4.—(1) A person shall not sell to the ultimate consumer any bone for human consumption.

(2) A person shall not sell any bone removed from bone-in beef deboned in the United Kingdom for use in the preparation of any food or ingredient for human consumption.

(3) A person shall not use any bone removed from bone-in beef deboned in the United Kingdom in the preparation of any food or ingredient for sale for human consumption.

(4) A person shall not sell any bone removed from bone-in beef deboned outside the United Kingdom for use in the preparation of any food or ingredient for sale direct to the ultimate consumer for human consumption.

(5) A person shall not use any bone removed from bone-in beef deboned outside the United Kingdom in the preparation of any food or ingredient for sale direct to the ultimate consumer for human consumption.

Food and food ingredients

5.—(1) A person shall not sell to the ultimate consumer for human consumption any food an ingredient of which consists of, or is derived from, bones removed from bone-in beef deboned in the United Kingdom.

(2) A person shall not sell for use in the preparation of any food or ingredient for human consumption any substance derived from bones removed from bone-in beef deboned in the United Kingdom.

(3) A person shall not use on food premises in the preparation of any food or ingredient for human consumption any substance derived from bones removed from bone-in beef deboned in the United Kingdom.

(4) Until 15th March 1998, this regulation shall not apply to anything other than bone-in beef or bones, prepared for sale before the coming into operation of these Regulations.

Deboning

6.—(1) A person shall not, in the course of a business, debone any bone-in beef for preparation, preparation for sale or sale for human consumption except at food premises.

(2) The occupier of any food premises shall ensure that any deboning of bone-in beef there is carried out in a hygienic manner, in particular so as to avoid the risk of any bones removed in the process contaminating any food or ingredient.

Storage of bones

7.—(1) Bones removed from bone-in beef deboned in the United Kingdom shall be stored at food premises separately from any food or ingredient.

(2) A person shall not store any bones, whether removed from bone-in beef deboned in or outside the United Kingdom, on any part of food premises where any food or ingredient for human consumption is prepared for sale direct to the ultimate consumer.

(3) The occupier of food premises shall ensure that any bones stored on the premises are stored in a hygienic manner, in particular so as to avoid the risk of the bones contaminating any food or ingredient.

Disposal of bones

8. Bones derived from any bone-in beef deboned in the United Kingdom shall be treated as if they were animal by-products referred to in Part II of Schedule 1 to the Animal By-Products Regulations (Northern Ireland) 1993(**2**) and shall be disposed of in accordance with those Regulations.

Records

9.—(1) For the purposes of these Regulations the occupier of food premises shall keep records relating to any bones removed from bone-in beef, used or stored on the premises.

(2) The records kept under paragraph (1)—

(a) shall contain sufficient information to ensure that the origin of any bones referred to in that paragraph stored at the food premises, and any commercial operations previously carried out in relation to those bones (whether or not at those premises and whether or not in the United Kingdom), can be clearly traced and identified by an authorised officer of an enforcement authority; and

(**2**) S.R. 1993 No. 192