STATUTORY RULES OF NORTHERN IRELAND

1997 No. 496

FOOD

Wild Game Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997

Made - - - -	*13th November 1997*
Coming into operation	*8th December 1997*

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

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

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

to make the following Regulations;

Now therefore, that Department, being the Department concerned, in exercise of the powers conferred by Articles 15(1) to (3), 16(1), 18(1), 25, 26(3), 47(2) and 48(2) of, and paragraphs 5, 6(1)(*a*) and 7(1) and (2) of Schedule 1 to, the Food Safety (Northern Ireland) Order 1991(**1**) and of every power enabling it in that behalf, and being a Department designated(**2**) for the purposes of section 2(2) of the European Communities Act 1972(**3**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, and after consultation, in accordance with Article 47(3) of the said Order of 1991, with such organisations that appear to it to be representative of interests likely to be substantially affected by the Regulations (in so far as the Regulations are made in exercise of the powers conferred by the said provisions of the said Order of 1991), hereby makes the following Regulations—

(**1**) S.I.1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12). *See* Article 2(2) for the definitions of "the Department concerned" and "regulations"

(**2**) S.I. 1972/1811

(**3**) 1972 c. 68

Part I

Preliminary

Citation and commencement

1. These Regulations may be cited as the Wild Game Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997 and shall come into operation on 8th December 1997.

Interpretation

2.—(1) In these Regulations—

"carcase" means the eviscerated, and in the case of birds plucked, body of any wild game, with or without the head and lower legs;

"cold store" means a cold store licensed under regulation 4 of the Fresh Meat Regulations or regulation 4 of the Poultry Meat Regulations;

"collection centre" means any building, premises or place where killed wild game is kept prior to being transported to a wild game processing facility;

"commercial document" means an invoice or delivery note containing the following information—

(a) the name and address of the consignor and the consignee;

(b) the approval number of the licensed premises, cold store or re-wrapping centre from which the wild game meat is to be transported;

(c) the date of issue of such delivery note or invoice and a number enabling it to be identified;

(d) a description of the product transported;

(e) the total quantity despatched;

(f) in the case of frozen wild game meat, the month and year of freezing; and

(g) the information provided for in paragraph 1 of Schedule 7 (the health mark);

"cutting up" means—

(a) cutting meat of large wild game into pieces smaller than half carcases;

(b) cutting meat of small wild game into pieces smaller than carcases; or

(c) removing bones from wild game meat;

"the Department" means the Department of Agriculture;

"disinfect" means to apply hygienically satisfactory chemical or physical agents or processes with the intention of eliminating micro-organisms;

"EEA Agreement" means the Agreement on the European Economic Area(**4**) signed at Oporto on 2nd May 1992, as adjusted by the Protocol(**5**) signed at Brussels on 17th March 1993;

"EEA State" means a State other than the United Kingdom which is a Contracting Party to the EEA Agreement;

"fresh meat" has the same meaning as in the Fresh Meat Regulations and the Poultry Meat Regulations;

"Fresh Meat Regulations" means the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland)1997(**6**);

(**4**) O.J. No. L.1, 3.1.94. p. 1
(**5**) O.J. No. L.1, 3.1.94, p. 571
(**6**) S.R. 1997 No. 493

"frozen", in relation to wild game meat, means meat which has been reduced to a temperature of not more than −12°C;

"health mark" means a mark of a kind set out in Schedule 7 and applied in accordance with regulation 10 and that Schedule;

"hunter" means any person who kills, or organises the killing of, wild game for human consumption;

"inspector" means a person who—

(a) has been appointed as a Meat Inspector under regulation 7(2) of the Fresh Meat Regulations; or

(b) has been appointed as an inspector under regulation 8(2) of the Poultry Meat Regulations;

and who is appointed in accordance with regulation 6(2);

"large wild game" means wild ungulates;

"licensed", in relation to any wild game processing facility, means licensed by the Department under regulation 3;

"occupier" means any person carrying on the business of a wild game processing facility or a cold store or a re-wrapping centre or his duly authorised representative and, in relation to an application in respect of any wild game processing facility for a licence under regulation 3, includes the owner of those premises, the person proposing to occupy those premises and the duly authorised representative of any such person;

"offal" means wild game meat other than that of the carcase, whether or not naturally connected to the carcase;

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

"OVS" means an official veterinary surgeon, being a veterinary surgeon designated by the Department under regulation 6;

"packaging", in relation to wild game meat, means placing wrapped wild game meat into a receptacle as well as the receptacle itself;

"PIA" means a plant inspection assistant, being a person who is authorised in accordance with regulation 9;

"potable water" has the same meaning as in the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995(**7**);

"Poultry Meat Regulations" means the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1995(**8**);

"premises" means any wild game processing facility;

"relevant EEA State" means an EEA State other than Iceland;

"re-wrapping centre" means any re-wrapping centre licensed under regulation 4 of the Poultry Meat Regulations or any re-packaging centre licensed under regulation 4 of the Fresh Meat Regulations;

"small wild game" means wild mammals of the *Leporidae* family and wild birds intended for human consumption;

"third country" means a country other than the United Kingdom, the Isle of Man or any of the Channel Islands which is not a relevant EEA State;

"veterinary officer" means a veterinary officer of the Department;

(**7**) S.R. 1995 No. 360, to which there are amendments not relevant to these Regulations
(**8**) S.R. 1995 No. 396

"viscera" means offal from the thoracic, abdominal and pelvic cavities, including the trachea and the oesophagus;

"wild game" means—

(a) wild land mammals which are hunted (including wild mammals living within an enclosed area under conditions of freedom similar to those enjoyed by wild game); and

(b) wild birds;

"wild game meat" means all parts of wild game which are suitable for human consumption and which have not undergone any preserving process other than chilling, freezing, vacuum wrapping or wrapping in a controlled atmosphere;

"wild game processing facility" means any establishment used for the purpose of dressing or cutting up wild game, the meat derived from which is intended for sale for human consumption; and

"wrapping", in relation to the protection of wild game meat, means placing in material which comes into direct contact with such meat as well as the material itself.

(2) Nothing in these Regulations shall be construed as derogating from the provisions of the Diseases of Animals (Northern Ireland) Order 1981(**9**) or of any order made thereunder.

(3) The Interpretation Act (Northern Ireland) 1954(**10**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Part II

Licensing of Wild Game Processing Facilities

Issue of licences

3.—(1) A person shall not use any wild game processing facility for the purpose of dressing or cutting up wild game, the meat derived from which is intended for consignment, or sale for consignment, to a relevant EEA State for human consumption, unless that wild game processing facility is currently licensed under these Regulations.

(2) Without prejudice to paragraph (6), the Department, on application made to it under this regulation, shall license the wild game processing facility to which the application relates if it is satisfied that—

(a) where only wild game meat is handled, it complies with the requirements of Schedule 1 or the occupier of the premises has agreed a work plan with the Department to carry out and complete works at the premises necessary to comply with those requirements on or before 8th March 1998 the method of operation in those premises complies with the requirements of Schedules 2 to 6 and there is no significant risk either that facilities for inspection under Schedule 4 will be denied or that any wild game meat condemned under those Schedules will be used for human consumption; or

(b) where fresh meat and wild game meat are handled, it is an establishment licensed under regulation 4 of the Fresh Meat Regulations or, as the case may be, regulation 4 of the Poultry Meat Regulations and—

(i) the method of operation in the establishment, in relation to wild game meat, complies, in so far as is necessary for the type of operations carried out in the establishment, with the requirements of Schedules 2 to 6 and there is no significant

(**9**) S.I. 1981 No. 1115 (N.I. 22)
(**10**) 1954 c. 33 (N.I.)

risk either that the facilities for inspection under Schedule 4 will be denied or that any wild game meat condemned under those Schedules will be used for human consumption; and

(ii) wild game meat will be handled separately or at different times from fresh meat and measures will be taken to identify clearly the different types of meat;

and shall refuse to grant a licence if it is not so satisfied.

(3) Each application for a licence under this regulation shall be made in writing to the Department by the occupier of the premises to which the application relates.

(4) The Department shall notify the applicant in writing of its decision on the application and of its reasons for any refusal to grant a licence.

(5) Any licence granted in respect of any premises under this regulation shall be subject to the condition that any significant alteration to the premises or the equipment or method of operation in those premises shall comply with the provisions of these Regulations.

(6) In granting a licence in respect of any premises under this regulation the Department may make that licence subject to conditions—

(a) in respect of the type or species of wild game which may be processed there; and

(b) as to the operations which may be carried out there.

Revocation of licences

4.—(1) The Department may revoke a licence granted by it under regulation 3 in respect of any premises and, where appropriate, require the withdrawal of the equipment for application of the health mark if, after an inspection of, or an inquiry into, the operation or structure of the premises and a report by an OVS or veterinary officer, it is satisfied that—

(a) the conditions of hygiene at those premises are inadequate and the occupier has failed to take the necessary measures to make good the shortcomings within such period as the Department may specify;

(b) any requirement of these Regulations as to hygiene has not been complied with and inadequate or no action has been taken to ensure that a similar breach does not occur in future;

(c) any agreement made by the occupier with the Department to carry out and complete any works referred to in regulation 3(2)(*a*) has not been complied with;

(d) any condition attached to the licence in accordance with regulation 3(5) or (6) has not been complied with; or

(e) the premises no longer fall within these Regulations because the business carried on at the premises has ceased to include the consignment or sale for consignment to a relevant EEA State of wild game meat for human consumption.

(2) The Department shall forthwith notify the occupier in writing of its decision under paragraph (1) to revoke any licence granted under these Regulations, of the date on which any revocation is to take effect and of the reasons for such revocation.

(3) In paragraph (2) "occupier", in relation to a proposed revocation by virtue of paragraph (1)(*e*) where the premises are vacant, means the last person known to the Department to have carried on at the premises the business for which the licence was granted or his successor in respect of that business.