STATUTORY RULES OF NORTHERN IRELAND

1997 No. 494

FOOD

Meat Products (Hygiene) Regulations (Northern Ireland) 1997

Made - - - -	*13th November 1997*
Coming into operation	*8th 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 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, that Department, being the Department concerned, in exercise of the powers conferred by Articles 15(1), (2) and (3), 16(1), 18(1), 25, 26(3), 44, 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:—

Part I

Preliminary

Citation and commencement

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

(**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

Interpretation

2.—(1) In these Regulations—

"ambient store" means any premises, not being part of approved meat products premises, which store unpackaged meat products under non-refrigerated conditions;

"approval authority" means the Department or any district council or the Department and any district council acting jointly;

"authorised officer", in relation to an enforcement authority, means any person who is authorised by the authority in writing, either generally or specially, to act in matters arising under these Regulations;

"batch" means a quantity of a meat product which is covered by the same accompanying commercial document or health certificate;

"cold store" means any premises, not being part of a meat products premises approved under regulation 4, which store unpackaged meat products under refrigerated conditions;

"curing" in relation to any product, means the distribution of salts throughout the product;

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

"EEA Agreement" means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as amended by the Protocol 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;

"enforcement authority" is to be construed in accordance with regulation 19(1);

"establishment" means an establishment handling or storing any type of meat products or other products of animal origin;

"final consumer" means a person who buys meat products or other products of animal origin—

(a) otherwise than for resale;

(b) for direct transport to, and consumption on, premises either in his ownership or under his personal supervision or in the ownership or under the personal supervision of a person employed by him; or

(c) for direct transport to premises used for handling or storing meat products either in his ownership or under his personal supervision or in the ownership or under the personal supervision of a person employed by him for sale as a ready-cooked take-away meat product for consumption off those premises;

"Fresh Meat Regulations" means the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997(**4**);

"handling" in respect to any meat product means the manufacture, preparation, processing, packaging, wrapping, or rewrapping of that product;

"heating" in relation to any product, means the use of dry or damp heat on that product;

"hermetically sealed container" means a container which is airtight and intended to protect the contents against the entry of micro-organisms during and after heat treatment;

"the Hygiene Regulations" means the Fresh Meat Regulations, the Poultry Meat Regulations or the Wild Game Meat Regulations;

"industrial meat products premises" means meat products premises whose production exceeds 7.5 tonnes of finished meat products per week or 1 tonne per week in the case of premises

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

producing foie gras or where a special hygiene direction is given in relation to the premises, such lower level of production as may be required by the direction;

"licensed" means licensed under regulation 4 of the Fresh Meat Regulations, regulation 4 of the Poultry Meat Regulations or regulation 3 of the Wild Game Regulations;

"maturing" means any treatment of salted raw meat which in the course of a slow and gradual reduction of humidity is capable of generating natural fermentation or enzymatic processes, involving changes over a period of time which give the product typical organoleptic characteristics and ensure its preservation and wholesomeness at normal ambient temperature;

"meat" means—

(a) meat as defined in—

(i) article 2(a) of Directive 64/433/EEC(**5**);

(ii) article 2 of Directive 71/118/EEC(**6**);

(iii) article 2 of Directive 72/46l/EEC(**7**);

(iv) article 2 of Directive 72/462/EEC(**8**);

(v) article 2 of Directive 88/657/EEC(**9**);

(vi) article 2(1) and (2) of Directive 91/495/EEC(**10**);

(vii) article 2(1)(d) of Directive 92/45/EEC(**11**); and

(b) minced meat and meat preparations;

"meat-based prepared meal" means a wrapped meat product (excluding sandwiches or products made with pastry, pasta or dough) in which meat has been mixed with other foodstuffs before, during or after cooking and requires refrigeration for preservation;

"the meat Directives" means the Directives mentioned in the definition of "meat" in this regulation;

"meat preparations" has the same meaning as in the Minced Meat Regulations

"meat products" means products for human consumption prepared from or with meat which has undergone treatment such that the cut surface shows that the product no longer has the characteristics of fresh meat, but not—

(a) meat which has undergone only cold treatment;

(b) minced meat;

(c) mechanically recovered meat;

(d) meat preparations;

"meat products premises" means any industrial or non-industrial meat products premises handling or storing meat products;

"Minced Meat Regulations" means the Minced Meat and Meat Preparations (Hygiene) Regulations (Northern Ireland) 1997(**12**);

"non-industrial meat products premises" means meat products premises whose production does not exceed 7.5 tonnes of finished meat products per week or 1 tonne per week in the case

(**5**) Directive 64/433/EEC has been amended and consolidated by Directive 91/497/EEC (O.J. No. L.268, 24.9.91, p. 69)
(**6**) O.J. No. L.55, 8.3.71, p. 23, amended and replaced by Council Directive 92/116/EEC (O.J. No. L.62, 15.3.93, p. 1)
(**7**) O.J. No. L.302, 31.12.72, p. 24 (O.J./S.E. 1972 (31 December) p. 3)
(**8**) O.J. No. L.302, 31.12.72, p. 28 (O.J./S.E. 1972 (31 December) p. 7)
(**9**) O.J. No. L.382, 31.12.88, p.3
(**10**) O.J. No. L.268, 24.9.91, p. 41
(**11**) O.J. No. L.268, 14.9.92, p. 35
(**12**) S.R. 1997 No. 495

of premises producing foie gras or where a special hygiene direction is given in relation to the premises such lower level of production as may be required by the direction;

"occupier" in relation to any premises means a person carrying on the business of producing, handling or storing meat products or other products of animal origin on the premises;

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

"other products of animal origin" means the following products intended for human consumption that is to say—

(a) meat extracts;

(b) rendered animal fat: fat derived from rendering meat, including bones;

(c) greaves: the protein-containing residue of rendering, after partial separation of fat and water;

(d) meat powder, powdered rind, salted or dried blood, salted or dried blood plasma;

(e) stomachs, bladders and intestines, cleaned, salted or dried, and/or heated;

"packaging", in relation to meat products or other products of animal origin, means the placing of one or more of such wrapped or unwrapped products in a container, as well as the container itself;

"potable water" has the same meaning as in the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995(**13**);

"Poultry Meat Regulations" means the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1995(**14**);

"prepared food" means any food, intended for human consumption, not being a meat product or other product of animal origin or a meat-based prepared meal which is handled in an establishment;

"prohibited parts" in relation to any animals or poultry mean—

(a) any genital organs, except, in the case of male animals, testicles;

(b) urinary organs, except the kidneys and the bladder;

(c) the cartilage of the larynx, the trachea and the extralobular bronchi;

(d) eyes and eyelids;

(e) the external, auditory meatus;

(f) corneous tissues;

(g) in poultry, the head (except the comb and the ears, the wattles and caruncles) the oesophagus, the crop and the intestines;

"raw material" means any animal product used as an ingredient in meat products or other products of animal origin, or used in the preparation of prepared food;

"rewrapping centre" means premises where any of the following operations is carried out—

(a) meat products are unwrapped, sliced or cut and subsequently rewrapped prior to despatch; or

(b) unpackaged meat products from different establishments are assembled into batches for despatch,

"slaughterhouse" means a licensed slaughterhouse;

(**13**) S.R. 1995 No. 360, the relevant amending Regulations are S.R. 1997 No. 493, S.R. 1997 No. 495 and S.R. 1997 No. 496
(**14**) S.R. 1995 No. 396, the relevant amending Regulations are S. R. 1997 No. 496

"small percentage of meat" means 10% or less by weight of the raw meat used as a proportion of the weight of the final product;

"special hygiene direction" in relation to any premises approved under regulation 4 or 5, as the case may be, means a condition of that approval imposed under paragraph (1)(*c*) of that regulation;

"Specified Material legislation" means—

(a) the Specified Bovine Material Order (Northern Ireland) 1997(**15**);

(b) the Specified Bovine Material (Treatment and Disposal) Regulations (Northern Ireland) 1997(**16**);

(c) the Heads of Sheep and Goats Order (Northern Ireland) 1996(**17**); and

(d) the Heads of Sheep and Goats (Treatment and Disposal) Regulations (Northern Ireland) 1996(**18**);

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

"treatment" in relation to any product, means any chemical or physical process such as heating, smoking, salting, marinating, curing or drying, intended to preserve meat or animal products whether or not associated with other foodstuffs, or a combination of these various processes;

"Wild Game Regulations" means the Wild Game Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997(**19**);

"wrapping" in relation to meat products or other products of animal origin, means the protection of those products by the use of an initial wrapping or initial container in direct contact with the product concerned as well as the initial wrapper or initial container itself.

(2) Any approval granted under regulation 4 or 5 shall be in writing and may be varied by notice served on the person to whom the approval was granted.

(3) The Interpretation Act (Northern Ireland) 1954(**20**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Exemption

3. These Regulations shall not apply to establishments handling or storing meat products or other products of animal origin exclusively for sale from those establishments to the final consumer, or to persons engaged in such handling, storing or selling, or to the transporting of meat products to the final consumer.

Part II

Approval of Meat Products Premises

Approvals of premises other than ambient stores, rewrapping centres and cold stores

4.—(1) A person shall not handle meat products in any premises to which this regulation applies unless those premises—

(**15**) S.R. 1997 No. 230
(**16**) S.R. 1997 No. 231
(**17**) S.R. 1996 No. 427
(**18**) S.R. 1996 No. 428
(**19**) S.R. 1997 No. 496
(**20**) 1954 c. 33 (N.I.)