STATUTORY RULES OF NORTHERN IRELAND

1996 No. 134

FOOD

The Specified Bovine Material (Treatment and Disposal) Regulations (Northern Ireland) 1996

Made - - - -	*28th March 1996*
Coming into operation	*29th March 1996*

The Department of Agriculture, in exercise of the powers conferred by Articles 15(1) and (2)(*g*), (*h*) and (*i*) and 72(4) of the Food (Northern Ireland) Order 1989(**1**) and now vested in it(**2**) and of every other power enabling it in that behalf, and after consultation, in accordance with Article 72(2) 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:

Citation and commencement

1. These Regulations, which relate to material which may contain the agent causing bovine spongiform encephalopathy and which implement paragraph 3(*a*) of Article 3 of Commission Decision 94/474/EC (concerning certain protection measures relating to bovine spongiform encephalopathy and repealing Decision 89/469/EEC and 90/200/EEC(**3**) may be cited as the Specified Bovine Material (Treatment and Disposal) Regulations (Northern Ireland) 1996 and shall come into operation on 29th March 1996.

Interpretation

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

"approved" means approved by the Department;

"the Department" means the Department of Agriculture;

"feedingstuff" includes petfood;

"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;

"processed" means processed in accordance with the provisions of Article 6 of the SBM Order;

(**1**) S.I.1989/846 (N.I. 6)
(**2**) S.R. 1990 No. 394 transferred functions under Article 5(1) inasfar as it relates to meat and Article 5(2)(*g*), (*h*) and (*i*) inasfar as it relates to meat and poultry from the Department of Health and Social Services to the Department of Agriculture
(**3**) O.J. No. L194, 29.7.1994, p. 96

"the SBM Order" means the Specified Bovine Material Order (Northern Ireland) 1996(**4**);

"sell" includes have in possession for sale or offer or expose for sale;

"slaughterhouse" means any building, premises or place for slaughtering animals the flesh of which is intended for sale for human consumption;

"specified bovine material" means—

(a) the head (including the brain but excluding the tongue), spinal cord, spleen, thymus, tonsils and intestines of a bovine animal six months old or over which has died in the United Kingdom or has been slaughtered there;

(b) the thymus and intestines of a bovine animal two months old or over but less than six months old which has died in the United Kingdom or has been slaughtered there;

(c) the thymus and intestines of a bovine animal under two months old which has been slaughtered in the United Kingdom for human consumption,

and includes anything left attached to such material after dissection of the carcase and any animal matter which comes into contact with the material after it has been removed from the carcase, but does not include the whole carcase;

"stain" in relation to any material means treat (either 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(**5**)) in such a way that the colouring is clearly visible over the whole surface of the material;

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

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

(2) For the purposes of these Regulations the supply of food or feedingstuffs other than by sale at, in or from any place where food or feedingstuffs are supplied in the course of a business, shall be deemed to be a sale.

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

Approvals

3.—(1) The Department may, on application, approve any premises for the purposes of these Regulations if it is satisfied that such premises are properly equipped to carry out the functions to which the approval relates and comply with the requirements of these Regulations.

(2) Any approval 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 was granted if the Department is satisfied that the conditions of these Regulations, or any additional conditions in the approval are not being complied with.

Specified bovine material for human consumption

4.—(1) A person shall not sell any specified bovine material, or any food containing specified bovine material, for human consumption.

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

(**4**) S.R. 1996 No. 133
(**5**) Colour Index is published by the Society of Dyers and Colourists at Perkin House, 82 Grattan Road, Bradford, West Yorkshire BD1 2JB.

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

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

Prohibitions applying to the vertebral column

5.—(1) A person shall not use the vertebral column of a bovine 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 bovine animal.

(3) A person shall not use the vertebral column of a bovine animal from which meat has been cut, to produce food other than fat or gelatin for sale for human consumption.

Initial treatment of specified bovine material at a slaughterhouse

6.—(1) When a bovine animal is slaughtered in a slaughterhouse, or slaughtered elsewhere than in a slaughterhouse but brought immediately to a slaughterhouse to be dressed for human consumption, the occupier of the slaughterhouse (in this regulation referred to as "the occupier") shall ensure that all specified bovine material is separated from the rest of the carcase.

(2) Subject to the following provisions of this regulation, the occupier shall ensure that specified bovine material which has been removed (other than the head) is immediately, and in any event before it is frozen, stained.

(3) The occupier shall ensure that the head is stained immediately after slaughter, except that, if the tongue is to be removed, this shall be done immediately after slaughter and the head shall be stained immediately after removal of the tongue.

(4) The occupier shall ensure that the specified bovine material does not come into contact with any other animal material while in the slaughterhouse and that it is disposed of in accordance with these Regulations.

(5) Material which is not specified bovine material may be separated from intestines which have been removed from the carcase before the intestines are stained.

(6) In the case of specified bovine material which is to be intended to be examined by or on behalf of an officer of the Department or a veterinary surgeon, the specified bovine material shall not be stained until after the completion of such examination.

(7) The requirement to stain specified bovine material shall not apply in the case of specified bovine material which is intended to be used for non-food or non-feedingstuff purposes in accordance with Article 8 of the SBM Order.

Initial treatment of specified bovine material elsewhere than at a slaughterhouse

7.—(1) Subject to the provisions of this regulation, when specified bovine material is removed from the carcase of a bovine animal elsewhere than in a slaughterhouse, the occupier of the premises at which the specified bovine material is removed (in this regulation referred to as "the occupier") shall ensure that it is stained immediately, and in any event before it is frozen.

(2) The occupier shall ensure that the specified bovine material does not come into contact with any other animal material while on the premises and that it is consigned in accordance with Article 9 of the SBM Order and disposed of in accordance with these Regulations.

(3) In the case of specified bovine material which is intended to be examined by or on behalf of the Department or a veterinary surgeon, the specified bovine material shall not be stained until after the completion of such examination.

(4) The requirement to stain specified bovine material shall not apply in the case of specified bovine material which is intended to be used for non-food or non-feedingstuff purposes in accordance with a licence granted under Article 8 of the SBM Order.

(5) The provisions of this regulation shall not apply in the case of a post-mortem examination carried out by a veterinary surgeon or a veterinary practitioner provided that he makes arrangements for the disposal of the whole carcase by burial.

Rendering whole carcases

8. Any person rendering a whole bovine carcase shall do so in accordance with Article 7 of the SBM Order in the same way as if the carcase were specified bovine material.

Exceptions from the requirement to stain specified bovine material

9.—(1) The requirements in regulations 6 and 7 to stain the specified bovine material shall not apply if the specified bovine material is to be sent to a veterinary or medical school, laboratory, hospital or similar institution for instructional, diagnostic or research purposes, provided that the specified bovine material is stored separately from all other animal materials and is clearly identified as specified bovine material.

(2) A person shall not transport specified bovine material to premises specified in paragraph (1) unless the specified bovine material is in a container marked with—

(a) the words "specified bovine material";

(b) the place of destination; and

(c) the name of the person to whom it is being sent.

(3) Any person delivering specified bovine material to premises specified in paragraph (1) shall state in writing to the occupier of the premises the place from which the specified bovine material was collected for delivery.

(4) The person to whom the specified bovine material is consigned shall record on its arrival—

(a) the weight of the specified bovine material delivered;

(b) the date of delivery; and

(c) the place from which it was consigned,

and shall keep such records for two years from the date of arrival.

(5) When any specified bovine material is no longer needed, the person to whom it was consigned under this regulation shall ensure that any residual specified bovine material is buried or effectively destroyed and shall keep a record for two years of the place and method of burial or destruction.

Prohibition on the removal of the brain and eyes of a bovine animal

10.—(1) A person shall not remove the brain or eyes from the head of a bovine animal except—

(a) for the purposes of veterinary or scientific examination; and

(b) in a part of the premises kept free at all times from food intended for human consumption.

(2) The prohibition in paragraph (1) shall not apply to the removal under Article 29 of the Food (Northern Ireland) Order 1991(**6**) of the eyeballs of bovine animals at the place of slaughter by a veterinary inspector or other authorised officer of the Department for the purposes of analysis under Article 31(1) of that Order.

(**6**) S.I. 1991/762 (N.I. 7)