1995 No. 458

ANIMALS

Specified Bovine Offal Order (Northern Ireland) 1995

Made . . . . . 11th December 1995

Coming into operation . . 21st December 1995

The Department of Agriculture, in exercise of the powers conferred on it by Articles 2(3), 5(1), 19(*b*), (*e*), (*f*), (*i*) and (*k*), 29(1) and (2), 32, 44, 46(7A) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Specified Bovine Offal Order (Northern Ireland) 1995 and shall come into operation on 21st December 1995.

Interpretation

2.—(1) In this Order—

"animal protein" means any protein material which is derived from the carcase of any kind of mammal except man but does not include milk, any milk product or dicalcium bone phosphate;

"approved disinfectant" means a disinfectant for the time being approved by the Department under the Diseases of Animals (Approval of Disinfectants) Order (Northern Ireland) 1972(**b**);

"collection centre" means any premises licensed by the Department under Article 5(1) for the purpose of storing and handling specified bovine offal;

"feedingstuff" means fodder and includes pet food;

"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;

"rendering plant" means any premises licensed by the Department under Article 6(1) for the purposes of receiving and processing specified bovine offal, other than manufacturing premises not connected with food and feedingstuffs;

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

"specified bovine offal" in relation to any bovine animal means—

(**a**) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art. 17 and S.I. 1994/1891 (N.I. 6) Arts. 19, 22, 23(1), (2) and (3), 24(1) and Schedule

(**b**) S.R. & O. (N.I.) 1972 No. 16 as amended by S.R. 1975 No. 69

(*a*) where the animal is over 6 months of age and has died, or been slaughtered, in the United Kingdom, the brain, spinal cord, spleen, thymus, tonsils and intestines;

(*b*) where the animal is 2 months of age or over but not over 6 months of age and has died, or been slaughtered, in the United Kingdom, the thymus and intestines only; and

(*c*) where the animal is under 2 months of age and has been slaughtered in the United Kingdom for human consumption, the thymus and intestines only, and includes anything left attached to such organ after dissection of the carcase and any animal matter which comes into contact with the organ after it has been removed from the carcase, but does not include a whole carcase;

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

"the 1981 Order" means the Diseases of Animals (Northern Ireland) Order 1981;

"the SBOTD Regulations" means the Specified Bovine Offal (Treatment and Disposal) Regulations 1995(**a**).

(2) Any reference to a head means the head of a bovine animal aged 6 months or over.

(3) The supply of feedingstuffs otherwise than by sale at, in or from any place where feedingstuffs are supplied in the course of a business, shall be deemed to be a sale.

Extension of definition of animals and poultry

3. For the purposes of the 1981 Order in its application to this Order:—

(*a*) the list of animals in Part I of Schedule 1 to the 1981 Order is hereby extended so as to comprise—

(i) any kind of mammal except man; and

(ii) any kind of four-footed beast which is not a mammal; and

(*b*) the list of poultry in Part II of Schedule 1 to the 1981 Order is hereby extended so as to comprise birds of any species.

Prohibition on sale, supply and use of certain feedingstuffs for feeding to animals and poultry

4.—(1) Subject to paragraph (2) a person shall not—

(*a*) knowingly sell or supply for feeding to ruminant animals any animal protein or any feedingstuffs in which he knows or has reason to suspect any animal protein has been incorporated;

(*b*) feed to a ruminant animal any animal protein or any feedingstuffs in which he knows or has reason to suspect that any animal protein has been incorporated;

(*c*) knowingly sell or supply for feeding to poultry or animals, other than ruminant animals, any specified bovine offal or any feedingstuffs which he knows, or has reason to suspect, contain such offal;

(a) S.R. 1995 No. 457

(*d*) feed to poultry or animals, other than ruminant animals, any specified bovine offal or any feedingstuffs which he knows, or has reason to suspect, contain such offal;

(*e*) use any specified bovine offal in the preparation of feedingstuffs for poultry or animals; or

(*f*) sell any specified bovine offal for use in the preparation of feedingstuffs for poultry or animals.

(2) Nothing in paragraph (1) shall prevent the sale or supply for feeding or the feeding, under and in accordance with the conditions of a licence granted by the Department,

(*a*) to ruminant animals of any material referred to in sub-paragraphs (*a*) or (*b*) of that paragraph; or

(*b*) to poultry or animals, other than ruminant animals, of any material referred to in sub-paragraphs (*c*) or (*d*) of that paragraph,

where such sale, supply or feeding is for research purposes in a research establishment.

(3) For the purposes of this Article "specified bovine offal" includes anything derived from it other than fatty acids which have been extracted from tallow subjected to thermal hydrolysis at hyperbaric pressure.

Collection centres

5.—(1) Upon the Department being satisfied that any premises are properly equipped and have sufficient facilities for storing and handling specified bovine offal in a manner which keeps it separate from other animal material it may, on application, licence those premises for the purposes of storing and handling specified bovine offal.

(2) A person shall not take delivery of specified bovine offal at a collection centre, or operate a collection centre for specified bovine offal unless it has been licensed by the Department in accordance with paragraph (1).

(3) A person delivering specified bovine offal to such a collection centre shall state in writing to the operator of the collection centre concerned the place from which that specified bovine offal was collected for delivery to that collection centre.

(4) The operator of such collection centre shall record on the arrival of specified bovine offal at the premises—

(*a*) the weight of the specified bovine offal delivered;

(*b*) the date of delivery; and

(*c*) the place from which it was consigned,

and shall keep such records for 2 years from the date of arrival.

(5) The operator of such a collection centre shall ensure that all specified bovine offal in the collection centre is kept separate from all other animal material.

(6) A person shall not remove specified bovine offal from a collection centre except to a rendering plant or to an incinerator which has been approved by the Department in accordance with regulation 11 of the SBOTD Regulations and shall keep a record for 2 years from the date of consignment of the weight of any specified bovine offal consigned, the date of such consignment and the point of destination.

Rendering plants

6.—(1) Upon the Department being satisfied that any premises has the facilities specified in Part I of the Schedule sufficient to enable it to separate the specified bovine offal into protein and tallow by one of the processes specified in Part II of that Schedule it may, on application, licence those premises and facilities for the purposes of receiving and processing specified bovine offal.

(2) A person shall not take delivery of specified bovine offal at a rendering plant, or operate a rendering plant for specified bovine offal, unless it has been licensed by the Department in accordance with paragraph (1).

(3) A person delivering specified bovine offal to such a rendering plant shall state in writing to the operator of the rendering plant concerned the place that bovine offal was collected for delivery to that rendering plant.

(4) The operator of such a rendering plant shall record on arrival of specified bovine offal at the premises—

(*a*) the weight of the specified bovine offal delivered;

(*b*) the date of delivery; and

(*c*) the place from which it was consigned,

and shall keep such records for 2 years from the date of arrival.

(5) The operator of such a rendering plant shall ensure that all specified bovine offal in the rendering plant is kept and stored separately from all other material, handled separately from other materials and rendered separately from other materials.

(6) The operator of such a rendering plant shall ensure that specified bovine offal is processed without undue delay and in any event within 7 days of delivery using one of the methods described in Part II of the Schedule.

(7) The operator of the rendering plant shall ensure that any equipment used for processing specified bovine offal is used only for that purpose.

(8) The operator of the rendering plant shall keep a record for 2 years of the weight of protein consigned and a separate record of the weight of tallow consigned and, in each case, the date of such consignment and the point of destination.

(9) The operator of the rendering plant shall ensure that all containers, receptacles and vehicles which have been used for the transport of specified bovine offal are cleansed and disinfected with an approved disinfectant before they leave the premises.

(10) A person shall not move from the unclean section of the rendering plant (as specified by the occupier in accordance with paragraph 5 of Part I of the Schedule) into the clean section without first changing their working clothes and footwear or cleansing and disinfecting the latter with an approved disinfectant.

(11) A person shall not take equipment and utensils from the unclean section into the clean section of the rendering plant unless the equipment and utensils are first washed and disinfected.

Rendering whole carcases

7. A person rendering a whole bovine carcase shall do so in accordance with the provisions of Article 6 in the same way as if the carcase was specified bovine offal.

Manufacturing premises not connected with food and feedingstuffs

8.—(1) Upon the Department being satisfied that—

(*a*) any premises are suitable to process specified bovine offal for use in a manufacturing process; and

(*b*) that such manufacture is not in any way connected with food or feedingstuffs and does not pose a risk to human or animal health,

it may licence those premises for the purposes of processing specified bovine offal for use in a manufacturing process.

(2) Any person delivering specified bovine offal to premises licensed by the Department in accordance with paragraph (1) shall state in writing to the operator of the premises concerned the place from which the specified bovine offal was collected for delivery to those premises.

(3) The operator of such premises shall record on the arrival of specified bovine offal at the premises—

(*a*) the weight of the specified bovine offal delivered;

(*b*) the date of delivery; and

(*c*) the place from which it was consigned,

and shall keep such records for 2 years from the date of arrival.

Consignment of specified bovine offal

9.—(1) Once specified bovine offal has been removed from the carcase and treated in accordance with the requirements of the SBOTD Regulations, the person responsible for its removal shall, without undue delay, send it directly to—

(*a*) a collection centre;

(*b*) a rendering plant;

(*c*) veterinary or laboratory premises specified in regulation 7 of the SBOTD Regulations;

(*d*) an incinerator which has been approved by the Department in accordance with regulation 11 of the SBOTD Regulations;