
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 216

AGRICULTURE

**The Carcase Classification and Price
Reporting Regulations (Northern Ireland) 2018**

Made - - - - 19th December 2018

Coming into operation 10th January 2019

The Department of Agriculture, Environment and Rural Affairs ^{F1}—

- (a) being a Department designated ^{F2}, for the purposes of making Regulations under section 2(2) of the European Communities Act 1972 ^{F3} in relation to food (including drink) including the primary production of food; and
- (b) having carried out the consultation required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ^{F4},

makes these Regulations in exercise of powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Department that it is expedient for references in these Regulations to the following EU instruments to be construed as references to those instruments as amended from time to time—

- (c) Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products ^{F5};
- (d) Commission Implementing Regulation (EU) 2017/1184 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals ^{F6}.
- (e) Commission Delegated Regulation (EU) 2017/1182 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals ^{F7}; and

F1 Formerly the Department of Agriculture and Rural Development (DARD see [Article 3\(4\)](#) of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I. 1)). DARD was renamed the

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Department of Agriculture, Environment and Rural Affairs by Article 1(2) of the Departments (Northern Ireland) Act 2016 (2016 c.5 (N.I.)).

F2 S.I. 2003/2901

F3 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the [Legislative and Regulatory Reform Act 2006 \(c.51\)](#) and section 3(3) of, and Part 1 of the Schedule to, the [European Union \(Amendment\) Act 2008 \(c.7\)](#)

F4 O.J. No. L31, 1.2.2002, p.1, as amended by Commission Regulation (EC) No. 202/2008 (O.J. No. L60, 4.3.2008, p.17)

F5 OJ No L347, 20.12.2013, p 671, as last amended by Regulation (EU) No 2017/2393 (OJ No L350, 29.12.2017, p15).

F6 OJ No L171, 4.7.2017, p 103.

F7 OJ No L171, 4.7.2017, p 74.

PART 1

GENERAL PROVISIONS

Citation and commencement

1. These Regulations may be cited as the Carcase Classification and Price Reporting Regulations (Northern Ireland) 2018; they apply in Northern Ireland and come into operation on 10th January 2019.

Interpretation

2.—(1) In these Regulations—

“the 2010 Regulations” means the Beef and Pig Carcase Classification Regulations (Northern Ireland) 2010 ^{F8};

“adult bovine animal” means a bovine animal aged eight months or more;

“approved slaughterhouse” means an establishment used for slaughtering adult bovine animals or pigs, the meat of which is intended for human consumption and which is approved or conditionally approved under Article 4 of Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin ^{F9};

“authorised officer” means a person authorised by the Department for the purposes of these Regulations;

“bovine carcase” means a carcase or half-carcase of a slaughtered adult bovine animal bearing a health mark [^{F10}as defined in Article 3(51) of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products];

“classification” means—

- (a) the classification of bovine carcasses in accordance with the European beef provisions, or
- (b) the classification of pig carcasses in accordance with the European pig provisions and with regulation 15,

as the case may be and cognate terms are to be construed accordingly;

“clean pig” means a pig which has not been used for breeding;

“Commission Delegated Regulation” means Commission Delegated Regulation (EU) 2017/1182 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals;

“Commission Implementing Regulation” means Commission Implementing Regulation (EU) 2017/1184 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals;

“European beef provision” means a provision which is specified in column 2 of Schedule 1, the subject matter of which is described in column 3 of that Schedule;

“European pig provision” means a provision which is specified in column 2 of Schedule 2, the subject matter of which is described in column 3 of that Schedule;

“operator” means a person carrying on the business of an approved slaughterhouse;

“pig carcass” means the body of a slaughtered clean pig, bled and eviscerated, whole or divided down the mid-line;

“prescribed communication” means a communication of the results of the classification as required by Article 1 of the Commission Implementing Regulation;

“Regulation (EU) 2013” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products.

“the Department” means the Department of Agriculture, Environment and Rural Affairs.

(2) The Interpretation Act (Northern Ireland) 1954 shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly ^{F11}.

(3) Other terms used in these Regulations that are also used in Regulation (EU) 2013, the Commission Delegated Regulation or the Commission Implementing Regulation have the same meaning they bear in those Regulations.

(4) In these Regulations, any reference to—

- (a) Regulation (EU) 2013;
- (b) the Commission Delegated Regulation; or
- (c) the Commission Implementing Regulation,

is to be construed as a reference to that instrument as amended from time to time.

F8 S.R. [2010 No. 231](#) amended by S.R. [2014 No. 92](#)

F9 OJ No L139, 30.4.2004, p 55, as last amended by Commission Regulation (EU) 2017/1981 (OJ No L285, 1.11.2017, p 10).

F10 Words in [reg. 2\(1\)](#) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019](#) (S.R. 2019/227), [regs. 1, 24](#)

F11 1954 c 33 (N.I.)

Transitional provisions

3. Any notice, licence, approval or authorisation, given or granted under the 2010 Regulations and which has effect at the coming into operation of these Regulations remains in force as if it were given or granted under these Regulations.

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Revocations

4. The following are revoked—
- (a) the Beef and Pig Carcase Classification Regulations (Northern Ireland) 2010 ^{F12}; and
 - (b) regulation 2 of the Single Common Market Organisation (Consequential Amendments) Regulations (Northern Ireland) 2014 ^{F13}.

F12 S.R. 2010 No. 231

F13 S.R. 2014 No. 92

PART 2

NOTIFICATIONS BY OPERATORS

Notifications by operators

- 5.—(1) Every person who—
- (a) is an operator on the date of coming into operation of these Regulations, or
 - (b) becomes an operator on a subsequent date

must within 28 days of the date of coming into operation of these Regulations or of the date on which the person becomes an operator as the case may be, give notice to the Department of the particulars specified in paragraph (3).

- (2) A person—
- (a) who has given notice, or who has been deemed to have given notice, under regulation 4(1) or (2) of the 2010 Regulations, and
 - (b) to whom these Regulations apply by virtue of regulation 6 or regulation 13

shall be deemed to have given notice under paragraph (1).

- (3) The particulars referred to in paragraph (1) are—
- (a) the full name and address of the operator;
 - (b) where the operator is a partnership or joint owners, the full names and addresses of all the partners or joint owners;
 - (c) where the operator is a body corporate, the full name, registered office address and registration number of the body; and
 - (d) the address, telephone number and approval number of the slaughterhouse.

(4) Where any change occurs in any of the particulars specified in paragraph (3), the operator must within 28 days of the change give notice to the Department of the particulars of the change.

(5) Where an operator (“O”) ceases to be the operator of an approved slaughterhouse, O must within 10 days of the cessation give notice to the Department of—

- (a) the date of the cessation; and
- (b) the person (if any) succeeding O as operator of that slaughterhouse.

(6) Where an approved slaughterhouse ceases to be such a slaughterhouse, its operator must within 10 days of such cessation give notice to the Department of the date of that cessation.

PART 3

BOVINE CARCASSES

Application of these Regulations to small-scale bovine operators

- 6.—(1) A small-scale bovine operator is not required to classify bovine carcasses.
- (2) These Regulations do not apply to a small-scale bovine operator which does not classify carcasses.
- (3) But if a small-scale bovine operator chooses to classify bovine carcasses, these Regulations apply in relation to that operator and the classification of those carcasses.
- (4) In this regulation, “small-scale bovine operator” means an operator of an approved slaughterhouse at which fewer than 150 adult bovine animals per week as an annual average are slaughtered.
- (5) Any small-scale bovine operator who, until the coming into operation of these Regulations, was required to classify bovine carcasses under the 2010 Regulations shall not by that reason alone be deemed to have chosen to do so for the purposes of paragraph (3).
- (6) Nothing in this regulation prevents the application of these Regulations to an operator in relation to pig carcasses if pigs are also slaughtered in that operator's slaughterhouse.

Competent authority: bovine carcasses

- 7.—(1) The Department is the competent authority for the purposes of—
- (a) Article 12(2)(b) of the Commission Delegated Regulation (additional provisions on classification by automated grading techniques);
 - (b) Articles 13 and 14 of the Commission Delegated Regulation and Articles 13(2) and 14 of the Commission Implementing Regulation (reporting of market prices and calculation of weekly market prices and average price per class);
 - (c) Article 17(2) of the Commission Delegated Regulation (supplementary provisions for reporting of market prices for carcasses);
 - (d) Article 4(1) of the Commission Implementing Regulation (making and keeping reports for on-the-spot checks).
- (2) The Department is responsible for –
- (a) the authorisation of automated grading methods for beef carcasses as described in Article 10 of the Commission Delegated Regulation;
 - (b) notifications to the Commission as described in Article 25 of the Commission delegated Regulation;
 - (c) on-the-spot checks as described in Articles 2 and 3 of the Commission Implementing Regulation.

Records instead of marking

8. An operator or the person responsible for the classification of bovine carcasses may, instead of marking a carcass in accordance with the European beef provisions set out in Part 2 of Schedule 1, draw up a record for that carcass which comprises at least—
- (a) the individual identification of the carcass by any unalterable means;
 - (b) the warm weight of the carcass; and
 - (c) the result of the classification.