1993 No. 192

EUROPEAN COMMUNITIES

ANIMALS

Animal By-Products Regulations (Northern Ireland) 1993

Made	*14th April 1993*
Coming into operation . .	*1st July 1993*

The Department of Agriculture, being a Department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the common agricultural policy of the European Economic 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, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Animal By-Products Regulations (Northern Ireland) 1993 and shall come into operation on 1st July 1993.

Interpretation

2.—(1) In these Regulations—

"animals" means—

(i) all kinds of mammals except man;

(ii) all kinds of four-footed beasts which are not mammals;

(iii) fish; and

(iv) poultry;

"animal by-product" means any carcase or part of any animal, or product of animal origin not intended for direct human consumption but does not include animal excreta or catering waste, or meat cooked at a knacker's yard for use as food for animals whose flesh is not intended for human consumption;

"approved premises" means premises approved by the Department under regulation 7;

"burial" means interment at a depth beyond the reach of carnivorous animals;

(a) S.I. 1972/1811

(b) 1972 c. 68: section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.R. 1984 No. 253

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

"inspector" has the same meaning as in the Diseases of Animals (Northern Ireland) Order 1981(**a**);

"knacker's yard" means any premises used in connection with the business of slaughtering, flaying or cutting up animals the flesh of which is not intended for human consumption;

"notice" means notice in writing;

"poultry" means domestic fowls, turkeys, geese, ducks, guinea-fowls, pigeons, pheasants, partridges and quail;

"premises" includes land;

"rendering" means subjecting animal by-products at a rendering, fishmeal or other plant to any of the systems of treatment or procedures mentioned in Schedule 4;

"scientific purposes" means diagnostic, educational or research purposes;

"technical or pharmaceutical products" means products intended for purposes other than human food or animal feedingstuffs; and

"veterinary inspector" has the same meaning as in the Diseases of Animals (Northern Ireland) Order 1981.

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

Scope

3.—(1) The provisions of these Regulations shall not apply to waste food and meat defined in, and required to be boiled under, the provisions of the Waste Food (Feeding to Livestock and Poultry) Order (Northern Ireland) 1974(**c**).

(2) The provisions of these Regulations shall not apply to hides, skins, hooves, feathers, wool, horns, hair, blood and similar products from animals slaughtered in the normal way which are not used in the manufacture of feedingstuffs but shall apply to such products when originating from animals which (during veterinary inspection at the time of slaughter) show clinical signs of any disease communicable through that product to man or animals.

(**a**) S.I. 1981/1115 (N.I. 22)
(**b**) 1954 c. 33 (N.I.)
(**c**) S.R. 1974 No. 12 as amended by S.R. 1976 No. 400

DISPOSAL AND RENDERING OF ANIMAL BY-PRODUCTS

Restriction on disposal of animal by-products referred to in Part I of Schedule 1

4.—(1) Subject to the provisions of paragraphs (2) and (3) any person who has in his possession or under his control any animal by-product referred to in Part I of Schedule 1 shall dispose of it by one of the following methods, namely—

(*a*) by rendering in approved premises;

(*b*) by incineration;

(*c*) by burial.

(2) Subject to the provisions of paragraph (3) the provisions of paragraph (1) shall not apply to—

(*a*) the use of any such by-product for scientific purposes;

(*b*) the distribution of any such by-product referred to in paragraphs (*a*), (*b*) and (*e*) of Part I of Schedule 1 to, or use of such by-product at a knacker's yard or at premises used for feeding zoo, circus or fur animals, recognised packs of hounds or for feeding maggots farmed for fishing bait; or

(*c*) the use, under the authority of a licence from the Department, of any such by-product for the production of material that has not been fully rendered subject to the final disposal of that by-product in accordance with paragraph (1).

(3) The Department may, if it thinks it expedient to do so, require, by notice, any such by-product to be disposed of by incineration or burial.

Restriction on disposal of animal by-products referred to in Part II of Schedule 1

5.—(1) Subject to the provisions of paragraph (2) any person who has in his possession or under his control any animal by-product referred to in Part II of Schedule 1 shall dispose of it by one of the following methods, namely—

(*a*) by rendering in approved premises;

(*b*) by incineration;

(*c*) by burial.

(2) The provisions of paragraph (1) shall not apply to—

(*a*) the use of any such by-product for scientific purposes;

(*b*) the distribution of any such by-product to or use of such by-product at a knacker's yard or premises used for feeding zoo, circus or fur animals, recognised packs of hounds or for feeding maggots farmed for fishing bait;

(*c*) the collection or use of any such by-product for the preparation of petfood or of technical or pharmaceutical products in premises registered under regulation 8; or

(*d*) the use, under the authority of a licence from the Department, of any such by-product for the production of material that has not been fully rendered, subject to the final disposal of that by-product in accordance with paragraph (1) or (2)(*c*).

(3) Where the use of such by-product is in accordance with paragraph (2)(*c*) the Department may if it thinks it expedient to do so require, by notice, that it be despatched, stored or rendered in a specific location and under specific conditions.

Restrictions on movement of animal by-products

6. No person shall move or cause or permit to be moved any animal by-product from any premises except in accordance with the provisions of Schedule 2.

Approval of animal by-products rendering premises

7.—(1) No person shall, in the course of a business carried on by him, render any animal by-product on any premises unless those premises are approved in writing by the Department for such purpose.

(2) Any person wishing to obtain approval for use of any premises for the rendering of any animal by-product shall make an application to the Department in such form and manner as the Department may require and shall provide all the particulars specified in Schedule 3 in writing.

(3) The Department—

(*a*) shall grant the approval referred to in paragraph (1) subject to the requirements set out in Part I of Schedule 4 or, as the case may be, Part II of Schedule 4 and to such other conditions as may be specified in the approval;

(*b*) may vary, revoke or suspend the approval by notice served on the person to whom the approval was granted; and

(*c*) may grant the approval to remain in force until revoked or to expire at a time specified in the approval.

Registration of premises collecting or using animal by-products for petfood or technical or pharmaceutical products

8.—(1) Subject to paragraph (2) no person shall use any premises (other than premises on which the animal by-products originate) to collect animal by-products intended for the preparation of petfood or for the production of petfood or technical or pharmaceutical products using animal by-products referred to in Part II of Schedule 1 unless his name is registered in respect of those premises and that product.

(2) Paragraph (1) shall not apply in respect of the use of a knacker's yard to collect animal by-products intended for the preparation of petfood or for the production of petfood.

(3) The Department shall keep, for the purposes of paragraph (1), a register of persons entitled to use premises for the collection of material intended for the preparation or production of petfood or technical or pharmaceutical products.

(4) Any application for registration shall be in writing in such form and manner as the Department may require.

(5) The Department shall, subject to paragraphs (6) and (7), register the applicant's name in respect of those premises and that product and shall issue to the applicant a certificate of such registration.

(6) The Department shall refuse to register the name of any person in respect of any premises unless the particulars specified in Schedule 5 are notified to it in writing.

(7) The Department shall refuse to register or shall remove the name of any person in respect of any premises if, as the result of an inspection carried out on the premises by a veterinary inspector, it is satisfied that the provisions of regulation 6 and Schedule 2 or Schedule 6 are not being complied with or cannot be complied with by the date on which registration could otherwise be effected.

(8) A person whose name is registered shall notify the Department in writing of any change in the particulars previously notified by him, except in the case of information required by paragraph 6 of Schedule 5, such notification to be made within 14 days of any such change.

Registration of premises used for the feeding of animal by-products to zoo, circus or fur animals, recognised packs of hounds and maggot farming for fishing bait

9.—(1) No person shall receive or use on any premises any animal by-product referred to in paragraph (*a*), (*b*) or (*e*) of Part I of Schedule 1 or Part II of Schedule 1 for feeding to zoo, circus or fur animals, recognised packs of hounds and to maggots farmed for fishing bait unless his name and the address of those premises are registered in respect of those premises.

(2) The Department shall keep, for the purposes of paragraph (1), a register of persons entitled to use premises for the receipt and use of any animal by-product.

(3) Any application for registration shall be in writing in such form and manner as the Department may require.

(4) The Department shall, subject to paragraphs (5) and (6), register the applicant's name in respect of those premises and shall issue to the applicant a certificate of such registration.

(5) The Department shall refuse to register the name of any person in respect of any premises unless the particulars specified in Schedule 5 are notified to the Department in writing.

(6) The Department shall refuse to register or shall remove the name of any person in respect of any premises if, as the result of an inspection carried out in the premises by a veterinary inspector, it is satisfied that the provisions of regulation 6 and Schedule 2 are not being complied with or cannot be complied with by the date on which registration would otherwise be effected.

(7) A person whose name is registered shall notify the Department in writing of any change in the particulars previously notified by him, except in respect of information required by paragraph 6 of Schedule 5, such notification to be made within 14 days of any such change.