1990 No. 30

FOOD

Food Hygiene

Bovine Offal (Prohibition) Regulations (Northern Ireland) 1990

Made	*26th January 1990*
Coming into operation	*30th January 1990*

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 15 and 72 of the Food (Northern Ireland) Order 1989(**a**) and of all other powers enabling it in that behalf and after consultation in accordance with Article 72(2) of that Order with such organisations as appear to it to be representative of interests substantially affected by these Regulations, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Bovine Offal (Prohibition) Regulations (Northern Ireland) 1990 and shall come into operation on 30th January 1990.

Interpretation

2.—(1) In these Regulations—

"excepted premises", in the case of specified bovine offal, means—

(*a*) a hospital, medical or veterinary school, laboratory or similar institution for instructional or diagnostic purposes or the premises of a manufacturing chemist (in circumstances where he receives the offal for the manufacture by him of pharmaceutical products);

(*b*) a place for storage before onward transmission to a place specified in sub-paragraph (*a*); or

(*c*) premises used for the manufacture of products other than food or animal feeding stuffs and not used for the manufacture of food or animal feeding stuffs;

"head" does not include tonsils;

"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;

"processor" means any person who in the course of his processing business sterilises meat and includes a waste food processor licensed under the Waste Food (Feeding to Livestock and Poultry) Order (Northern Ireland) 1974(**b**) to receive unprocessed waste food;

(**a**) S.I. 1989/846 (N.I. 6)
(**b**) S.R. 1974 No. 12, to which there is an amendment not relevant to these Regulations

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

"slaughterhouse" means premises in which animals are slaughtered, the flesh of which is intended for sale for human consumption and includes premises available in connection therewith for the confinement of animals while awaiting slaughter there or for keeping, or subjecting to any treatment or process, products of the slaughtering of animals there, but does not include any place available in connection with a slaughterhouse and used solely for the manufacture of bacon, ham, sausages, meat pies or other manufactured meat products, or for the storage of meat used in such manufacture;

"specialist boning plant" means premises (not being a slaughterhouse or knackery) where a business of removing meat from bones is carried on but does not include any premises where such removal of meat is made in the course of or for the purposes of the sale by retail of meat;

"specified bovine offal" means the brain, spinal cord, spleen, thymus, tonsils and intestines of a bovine animal which has been slaughtered in the United Kingdom and no longer comprises a whole dead animal, and "excluded matter" means any part of such an animal which part does not consist of or contain any specified bovine offal;

"stained" has the meaning given to it in the Meat (Sterilisation and Staining) Regulations (Northern Ireland) 1984(**a**);

"sterilised" has the meaning given to it in the Meat (Sterilisation and Staining) Regulations (Northern Ireland) 1984.

(2) For the purposes of these Regulations—

(*a*) the supply of food otherwise than by sale at, in or from any place where food is supplied in the course of a business, shall be deemed to be a sale of that food; and

(*b*) where, in connection with any business in the course of which food is supplied, the place where the food is served to the customers is different from the place where the food is consumed, both those places shall be deemed to be places in which food is sold.

Exemptions

3.—(1) These Regulations shall not apply in respect of specified bovine offal of a bovine animal not more than six months old when slaughtered.

(2) The requirements as to sterilisation and staining and restrictions on movement in these Regulations shall not apply in the case of—

(*a*) any specified bovine offal which is removed or is intended to be removed from any place by, or under the authority of, a veterinary surgeon for examination by him or on his behalf, or

(*b*) any specified bovine offal which is neither held for the purposes of a business nor on premises on which the bovine animal whose offal it is has been slaughtered.

(**a**) S.R. 1984 No. 416

Prohibition of sale

4. A person shall not—

(*a*) sell, or

(*b*) use in the preparation of food for sale,

for human consumption, any specified bovine offal.

Requirements as to sterilisation and staining of specified bovine offal in slaughterhouses

5.—(1) Subject to regulation 10(3) and to paragraphs (2), (3) and (4), any specified bovine offal at a slaughterhouse shall immediately be sterilised by the occupier at the slaughterhouse or be placed by him in a room or receptacle designed for the purpose of holding meat awaiting sterilisation and bearing a notice stating that its contents are to be sterilised on the premises, and shall then be sterilised by him at the slaughterhouse.

(2) The requirements as to sterilisation imposed by paragraph (1) shall not apply in the case of any specified bovine offal which—

(*a*) is stained by the occupier of the slaughterhouse immediately after slaughter; or

(*b*) is intended to be removed from the slaughterhouse under the authority of a movement permit issued pursuant to regulation 12 to excepted premises.

(3) The requirement as to sterilisation imposed by paragraph (1) shall not apply in the case of the brain of a bovine animal contained within its head which is intended to be removed from the slaughterhouse to a specialist boning plant under the authority of a movement permit issued pursuant to regulation 12 where that head is intended to be removed there for the purpose of the recovery of meat (other than specified bovine offal) from it.

(4) Nothing in this regulation shall be taken to prohibit the severance of specified bovine offal from any excluded matter which is not intended for sterilisation or staining, and things to be done immediately under this regulation shall be taken to be so done where any delay is attributable solely to that severance.

Prohibition of removal of specified bovine offal from a slaughterhouse

6. Subject to regulations 10(1) and (2) and 11(2) a person shall not remove or cause or permit to be removed from a slaughterhouse any specified bovine offal unless—

(*a*) it has been sterilised in accordance with regulation 5;

(*b*) it has been stained in accordance with regulation 5 and is intended to be delivered to a destination specified in regulation 11(1)(*b*) or (*c*) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 12; or

(*c*) it is intended to be delivered to excepted premises and its removal to those premises is authorised by a movement permit issued pursuant to regulation 12.

Prohibition of removal of specified bovine offal from a place other than a slaughterhouse or a knackery

7.—(1) A person shall not remove or cause or permit to be removed from any place of which he is the occupier, not being a slaughterhouse or knackery, any specified bovine offal unless—

(*a*) it has been sterilised;

(*b*) it has been stained and is intended to be delivered to a destination specified in regulation 11(1)(*b*) or (*c*) and its removal to that destination is authorised by a movement permit issued pursuant to regulation 12;

(*c*) it is intended to be delivered to excepted premises and its removal to those premises is authorised by a movement permit issued pursuant to regulation 12;

(*d*) it is intended to be delivered to a knackery; or

(*e*) it is intended to be delivered to a slaughterhouse, together with the carcase to which it relates, in accordance with regulation 6(*b*) of the Slaughterhouses (Hygiene) Regulations (Northern Ireland) 1963(**a**).

(2) In paragraph (1)(*e*) ''carcase'' has the same meaning as it has in the Slaughterhouses (Hygiene) Regulations (Northern Ireland) 1963.

Prohibition on freezing

8.—(1) Subject to paragraph (2), a person shall not freeze any specified bovine offal in a slaughterhouse or any other place unless it has been sterilised or stained.

(2) The prohibition in paragraph (1) shall not apply in the case of any specified bovine offal which is intended to be removed, under the authority of a movement permit issued pursuant to regulation 12, to excepted premises.

Prohibition of bringing in of specified bovine offal from England, Wales or Scotland

9.—(1) A person shall not bring, or cause or permit to be brought into Northern Ireland from England, Wales or Scotland any specified bovine offal unless—

(*a*) it has been sterilised;

(*b*) it has been stained and is intended to be delivered to a destination specified in regulation 11(1)(*b*) or (*c*) and it is accompanied to that destination by a consignment note or permit;

(*c*) it is intended to be delivered to excepted premises and is accompanied to that destination by a consignment note or permit; or

(*d*) in the case of the brain of a bovine animal contained within its head, it is intended to be delivered to a specialist boning plant and is accompanied to that destination by a consignment note or permit.

(**a**) S.R. & O. (N.I.) 1963 No. 162, to which there are amendments not relevant to these Regulations

(2) The driver of the vehicle in which specified bovine offal is delivered to any premises accompanied by a consignment note or a permit shall give that note or a copy of that permit to the occupier of those premises, who shall retain it for a period of two years from the date on which he received it and within seven days of that date send a copy thereof to the district council in whose district those premises are or that specified bovine offal is located. Any consignment note or copy permit retained by an occupier of premises in accordance with the requirements of this paragraph shall be made available for inspection by an authorised officer at any reasonable time.

(3) On receipt of any such copy of a consignment note or permit in accordance with paragraph (2) the district council shall, if the specified bovine offal to which it relates has been brought in from England, Wales or Scotland, forthwith notify in writing the district council from whose district the specified bovine offal has been brought in, of the arrival of the consignment related to the consignment note or permit.

(4) In this regulation—

"consignment note" means a consignment note issued in pursuance of Part III of the Meat and Poultry Meat (Staining and Sterilisation) (Scotland) Regulations 1983(**a**); and

"permit" means in relation to specified bovine offal, a movement permit issued under the provisions of regulation 19 of the Meat (Sterilisation and Staining) Regulations 1982(**b**) authorising the removal of that specified bovine offal to the premises to which it is to be delivered.

Exemption from requirements as to sterilisation and staining of specified bovine offal in slaughterhouses

10.—(1) Specified bovine offal which has been neither sterilised nor stained may be removed from a slaughterhouse which is not equipped with facilities for the sterilisation of specified bovine offal if—

(*a*) each destination referred to in regulation 11(1) to which it is reasonably practicable to deliver that specified bovine offal is, by reason of permanent or temporary closure of the premises or a breakdown of the machinery installed therein or a trade dispute, unable to receive it;

(*b*) that specified bovine offal is transported in a vehicle or in an impervious container which, in either case, bears, in a prominent position, a notice of not less than 300 millimetres in length by 150 millimetres in height, and which contains, in letters not less than 30 millimetres in height, the words "Unfit meat — not for human consumption"; and

(*c*) that specified bovine offal is removed, in accordance with an arrangement in writing with, and under the supervision of, an authorised officer of the district council in whose district the slaughterhouse is situated, to a place where it is buried or destroyed.

(**a**) S.I. 1983/704
(**b**) S.I. 1982/1018, to which there are amendments not relevant to these Regulations