1977 No. 165

EUROPEAN COMMUNITIES

POULTRY MEAT

European Communities Poultry Meat (Hygiene) Regulations (Northern Ireland) 1977

Made . . . . . 8*th June* 1977

Coming into operation . . . . 18*th July* 1977

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The Department of Agriculture, being a department designated by the European Communities (Designation) Order 1972(**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 that section and section 56 of the Finance Act 1973(**c**) and of all other powers enabling it in that behalf, and with the consent of the Department of Finance with regard to fees or other charges, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the European Communities Poultry Meat (Hygiene) Regulations (Northern Ireland) 1977 and shall come into operation on 18th July 1977.

Interpretation

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

"ante-mortem health inspection" means inspection of live poultry in accordance with the requirements of regulation 24 and Schedule 5;

"authorised officer" means any person authorised to carry out the duties specified in regulation 25;

(**a**) S.I. 1972/1811 (1972 III, p. 5216)
(**b**) 1972 c. 68
(**c**) 1973 c. 51

"carcase" means the whole body after bleeding, plucking and evisceration save that the removal of the kidneys, legs at the tarsus or the head shall be optional;

"cutting premises" means premises used for the purpose of cutting or boning poultry meat intended for sale for human consumption, which is not subject to any preservation process on those premises other than chilling or freezing but shall not include any premises used for the purpose of catering or sales by retail;

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

"disinfect" means to apply hygienically satisfactory chemical or physical agents or processes with the intention of eliminating micro-organisms;

"district council" means a council established under the Local Government Act (Northern Ireland) 1972(**d**);

"establishment" means a slaughterhouse or cutting premises which has been licensed in accordance with regulation 14 or which has been exempted in accordance with regulation 4;

"final consumer" means a person who buys poultry meat for consumption on his own premises or on premises under his management or control;

"fresh" as applied to poultry meat includes poultry meat which has been chilled or frozen;

"health marking" means a mark made by or under the supervision of an official veterinary surgeon in accordance with regulation 5 and of a kind and in the manner set out in Schedule 9;

"inspector" means a person qualified in accordance with the requirements set out in Schedule 13 and acceptable to the Department to assist the official veterinary surgeon;

"licence" means a licence granted under regulation 14 authorising the use of any premises as a slaughterhouse or cutting premises;

"locality" means the area within the boundary of a district council;

"Member State" means any country of the European Economic Community;

"national rules" means transferred provision made in respect of Northern Ireland;

"occupier" means any person carrying on the business of a slaughterhouse, cutting premises or store either together or separately;

"offal" means poultry meat other than that of the carcase even if naturally connected to the carcase, as well as the head and feet, where these are presented separately from the carcase;

"official veterinary surgeon" means a veterinary surgeon designated by the Department;

"poultry" means domestic fowls, turkeys, guinea fowls, ducks and geese;

"poultry meat" means the flesh or other edible part of poultry;

"post-mortem health inspection" means inspection of slaughtered poultry in the slaughterhouse in accordance with the requirements of regulation 24 and Schedule 6 immediately after slaughter;

"producer" means a person who sells poultry meat derived from poultry which he has kept alive on his premises for at least 21 days prior to slaughter;

"sanitary convenience" means a water closet, or other flush sanitary convenience;

(d) 1972 c. 9 (N.I.)

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

"slaughterhouse" means a place for slaughtering poultry whose flesh is intended for sale for human consumption, and includes any place available in connection therewith for the confinement of poultry while awaiting slaughter there or for keeping, or subjecting to any treatment or process, products of the slaughtering of poultry there, but does not include any place available in connection with a slaughterhouse and used solely for the manufacture of poultry meat products or for the storage of poultry meat used in such manufacture;

"store" means premises where poultry meat is kept but shall not include any place where poultry meat is displayed for sale;

"third country" means any country other than a Member State;

"transport" means the carriage of poultry meat from an establishment or store;

"viscera" means the contents of the thoracic, abdominal and pelvic cavities, and includes the trachea, oesophagus and where appropriate crop;

"wrapping" means material which comes into direct contact with the poultry meat that it surrounds but does not include cartons or similar packages used to contain a number of unwrapped carcases or a quantity of wrapped poultry meat.

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

Sale of poultry meat

3.—(1) Subject to the exemptions specified in regulation 4 no person shall sell or prepare for sale for human consumption any fresh poultry meat unless—

(*a*) in the case of carcases and offal:—

(i) it has been obtained from a slaughterhouse which has been licensed by the Department for this purpose in accordance with the requirements of regulation 14 and is supervised in accordance with regulation 24;

(ii) it comes from poultry which has been subject to an ante-mortem health inspection;

(iii) it has been prepared under hygienic conditions in accordance with the requirements of Schedule 4;

(iv) it has been subject to a post-mortem health inspection;

(v) it has been given a health marking in accordance with the requirements of Schedule 9;

(vi) if it is stored after post-mortem health inspection, this has been done in accordance with the requirements of Schedule 10 in establishments or in separate stores which have been approved by the Department and which, except as provided in regulation 4(3), are under the supervision of an official veterinary surgeon;

Provided that this shall not apply to storage operations carried on in premises or in rooms adjoining premises from which carcases or offal are supplied direct to the final consumer;

(vii) if it is packed, this has been done under hygienic conditions in accordance with the requirements of Schedule 11:

(e) 1954 c. 33 (N.I.)

Provided that this shall not apply to carcases or offal not packed individually brought for packing into premises or rooms adjoining premises from which the carcases or offal are supplied direct to the final consumer; and

(viii) if it is transported, this has been done under hygienic conditions in accordance with the requirements of Schedule 12:

Provided that the provisions of this sub-paragraph shall not apply to poultry meat which is supplied by the producer of that poltry meat direct to the final consumer otherwise than by itinerant sale, sale by mail order, or sale at a market; and to the supply of poultry meat by the producer thereof, in his own or a neighbouring locality, either direct to the final consumer at markets or to retailers with a view to direct sale to the final consumer; and to poultry meat supplied by the producer thereof in the form of the whole body of any poultry slaughtered and plucked without the use of water on that producer's premises and bearing on or attached to each such body the producer's name and the address of the premises where such poultry was slaughtered and plucked.

(*b*) in the case of parts of carcases or boned poultry meat:—

(i) it has been obtained from cutting premises which have been licensed by the Department, or where appropriate by a district council, for this purpose in accordance with the requirements of regulation 14 and are supervised in accordance with regulation 24;

(ii) it has been cut and obtained in accordance with the requirements of Schedule 7;

(iii) it comes—

(*aa*) from poultry meat originating from poultry slaughtered in Northern Ireland in accordance with the provisions of these regulations;

(*bb*) from poultry meat originating from poultry slaughtered in another Member State in accordance with Community requirements; or

(*cc*) from poultry meat imported from third countries in accordance with Community requirements; and

in the case of (*bb*) and (*cc*) it has been imported into Northern Ireland in accordance with national rules relating to animal health where no Community provisions relating to animal health exist;

(iv) if it is stored, this has been done in accordance with the requirements of Schedule 10 in establishments or in separate stores which have been approved by the Department and which, except as provided in regulation 4(3), are under the supervision of an official veterinary surgeon:

Provided that this shall not apply to storage operations carried out on cutting premises or in rooms adjoining cutting premises from which parts of carcases or boned poultry meat are supplied direct to the final consumer;

(v) it has been subjected to supervision in accordance with the requirements of Schedule 8 except as provided in regulation 4(3);

(vi) without prejudice to regulation 5 it has been given a health marking in accordance with the requirements of Schedule 9;

(vii) if it is packed, this has been done under hygienic conditions in accordance with the requirements of Schedule 11; and