1974. No. 12 **[NC]**

DISEASES OF ANIMALS

Waste Food

ORDER, DATED 22ND JANUARY 1974, MADE BY THE DEPARTMENT OF AGRICULTURE UNDER SECTIONS 5, 13 AND 53 OF THE DISEASES OF ANIMALS ACT (NORTHERN IRELAND) 1958.

The Department of Agriculture in exercise of the powers conferred on it by sections 5, 13 and 53 of the Diseases of Animals Act (Northern Ireland) 1958(**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 Waste Food (Feeding to Livestock and Poultry) Order (Northern Ireland) 1974 and shall come into operation on 1st February 1974.

Revocation

2. The Diseases of Animals (Boiling of Animal Food) Order (Northern Ireland) 1962(**b**) is hereby revoked.

Interpretation

3. For the purposes of this Order—

"animals" means animals specified in Part I of the First Schedule of the Diseases of Animals Act (Northern Ireland) 1958 (as amended by the Rabies (Importation of Mammals) Order (Northern Ireland) 1972(**c**)) other than livestock as defined hereunder;

"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(**d**) for the purposes of general Orders;

"birds" means poultry specified in Part II of the First Schedule of the Diseases of Animals Act (Northern Ireland) 1958 (as amended by the Diseases of Animals (Amendment of First Schedule—Poultry) Order (Northern Ireland) 1973(**e**)) other than poultry as defined hereunder;

"boiled" means treated so that all of the waste food or meat being treated is held for at least one hour at a temperature of not less than 100°C (212°F) or treated by an alternative process which has been authorised in writing by the Department;

"eggs" means the eggs of poultry or birds;

"livestock" means cattle, sheep, goats and all other ruminating animals and swine;

"meat" means the carcase of any livestock or any poultry and includes part of a carcase, bones, blood, offal or other part of livestock or poultry;

(a) 1958. c. 13.
(b) S.R. & O. (N.I.) 1962, No. 72.
(c) S.R. & O. (N.I.) 1972, No. 17.
(d) S.R. & O. (N.I.) 1972, No. 16.
(e) S.R. & O. (N.I.) 1973, No. 170.

"poultry" means domestic fowls, turkeys, geese, ducks, guinea-fowls, domestic pigeons and any other birds kept in captivity;

"waste food" means any broken or waste foodstuffs (including table or kitchen refuse, scraps or waste) which may contain or have been in contact with any meat, milk, eggs or egg shells,

but does not include meal containing protein of livestock or poultry origin.

Prohibition on the use of unboiled meat or waste food

4.—(1) No unboiled meat or unboiled waste food shall be used for feeding to livestock or poultry or for feeding to animals or birds on premises where livestock or poultry are kept.

(2) Boiled waste food shall not be used for feeding to livestock or poultry unless, where the provisions of Article 9 require it, boiling has been carried out in accordance with the conditions of a licence granted by the Department.

(3) Boiled meat which has been in contact with unboiled meat or unboiled waste food shall be regarded as unboiled meat, and boiled waste food which has been in contact with unboiled meat or unboiled waste food shall be regarded as unboiled waste food.

(4) No person having charge or control of any unboiled meat or unboiled waste food shall permit it to come into contact with any other food intended for feeding to livestock or poultry, or to animals or birds on premises where livestock or poultry are kept, or allow livestock or poultry to have access to unboiled meat or unboiled waste food.

Absolute prohibition on feeding food from ships, etc., to livestock, poultry, animals or birds

5. Notwithstanding the provisions of Article 4, no person shall in any circumstances use for feeding to livestock or poultry or to any animal or bird any food or edible matter which was on any ship, aircraft, hovercraft or road or other vehicle as stores for the consumption of passengers, crew, livestock, poultry, animals or birds and was imported into Northern Ireland from any country other than the Republic of Ireland.

Disposal of unboiled waste food

6. Without prejudice to Article 8(*c*) a person shall not dispose of any unboiled waste food in his possession except by one or more of the following methods:—

(*a*) Disposal in a manner approved by the Department on the premises where the waste food originated;

(*b*) disposal to a district council refuse collection service;

(*c*) disposal to a person licensed to collect waste food under Article 7;

(*d*) disposal to a refuse disposal agency approved by the Department.

Licence to collect unboiled waste food

7.—(1) No person, other than a district council or an agency approved under Article 6(*d*), shall collect or move unboiled waste food from any premises except under the authority of, and subject to the conditions of, a licence granted by the Department.

(2) A licence granted under the preceding paragraph may, for the purposes of preventing the spread of disease, contain such conditions as the Department thinks fit and, without prejudice to the generality of the foregoing, may in particular include those conditions specified in Schedule 1.

8. A person holding a licence under Article 7 shall not dispose of unboiled waste food except in accordance with the following provisions:—

(*a*) By direct delivery to a person licensed to operate plant and equipment under Article 9;

(*b*) by direct delivery to premises approved by the Department for the holding of unboiled waste food prior to the delivery of such waste food to a person licensed to operate plant and equipment under Article 9;

(*c*) by direct delivery to premises approved by the Department for the feeding of unboiled waste food to animals:

Provided that in the case of delivery to premises specified at (*b*) and (*c*) no livestock or poultry are at any time kept on the premises.

Licence to operate plant and equipment for boiling waste food

9.—(1) Except as provided under Article 8(*b*) and (*c*), where a person has brought or caused to be brought together at any place any unboiled waste food collected or received from the premises of other persons, for the purpose of feeding it to livestock or poultry, or processing it for use for feeding to livestock or poultry, such waste food shall be boiled in such premises and by means of such plant and equipment as may be authorised by the Department under the conditions of a licence.

(2) A licence granted under this Article shall, for the purpose of preventing the spread of disease, contain such conditions as the Department thinks fit and, without prejudice to the generality of the foregoing, include in particular those conditions specified in Schedule 2.

Prohibition on distribution of boiled waste food

10. No person shall move or cause or permit to be moved any boiled waste food intended for feeding to livestock or poultry from the premises on which it was boiled except to other premises occupied by the holder of the licence relating to the premises on which the boiling took place, unless such movement is made in accordance with the conditions of an authority issued by the Department in writing.

Licence to collect unboiled meat for feeding to livestock or poultry

11.—(1) No person shall collect or move from any premises any unboiled meat intended for feeding to livestock or poultry, or boil such meat, except under the authority of a licence granted by the Department.

(2) A licence granted under the preceding paragraph may, for the purpose of preventing the spread of disease, contain such conditions as the Department thinks fit and, without prejudice to the generality of the foregoing, may include all or any of the conditions applicable to waste food in Schedule 1 and Schedule 2:

Provided that nothing in this Article shall apply to the collection or movement to other premises of unboiled meat for the purpose of processing into meal or other equivalent product.

Restriction on the sale of swine

12. A person who holds a licence under Article 7, Article 9 or Article 11 shall not sell or dispose of, or permit to be sold or disposed of, otherwise than for immediate slaughter, any swine which are in his possession.

Keeping of records

13. Without prejudice to any proceedings which may be taken under the Movement of Animals (Records) Order (Northern Ireland) 1969(f), a licence granted under Article 7, Article 9 or Article 11 may be revoked if the licence holder fails to keep a record of purchases and sales of swine in his possession as required under the provisions of the aforesaid Order.

Validity of licences and power to suspend licences

14.—(1) If the holder of a licence, authority or certificate granted under this Order fails to comply with any provision of the Order or any condition for the time being attached to the licence, authority or certificate, the Department may suspend or revoke such licence, authority or certificate by a notice in writing served on the holder.

(2) A licence holder shall at all reasonable times permit an inspector to enter the licensed premises and to examine any plant, equipment, tool, vehicle or other things thereon, and to take temperatures and samples of any waste food found thereon.

Transitional provisions

15. Any licence granted by the Department under the provisions of Article 5 of the Diseases of Animals (Boiling of Animal Food) Order (Northern Ireland) 1962 authorising the use of plant and equipment for boiling waste food shall, notwithstanding the revocation of that Order and the provisions of Articles 7 and 9 of this Order, be deemed to be a valid licence for the purposes of Articles 7 and 9 of this Order until 31st July 1974.

Exemption

16.—(1) The Department may, if it is considered expedient to do so, issue a certificate exempting any person, premises, meat, or waste food from all or any of the provisions of this Order.

(2) A certificate of exemption issued under this article may contain such conditions as the Department thinks fit for the purpose of preventing the spread of disease.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland this 22nd day of January 1974.

(L.S.)

W. H. Jack,
Assistant Secretary.

(f) S.R. & O. (N.I.) 1969, No. 304.