STATUTORY INSTRUMENTS

1975 No. 1038 (N.I. 8)

Agriculture (Miscellaneous Provisions) (Northern Ireland) Order 1975

- - - - - - *[25th June 1975]*

Title, commencement and interpretation

1.—(1) This Order may be cited as the Agriculture (Miscellaneous Provisions) (Northern Ireland) Order 1975 … *Commencement* …

(2) The Interpretation Act (Northern Ireland) 1954 shall apply to paragraph (1) and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

Carcase classification scheme

2.—(1) For the purpose of providing a standard method of describing as fully as practicable those characteristics of a carcase which are the principal features of interest to persons trading in livestock and carcases, the Department may, after consultation with such persons or the representatives of such persons as in the opinion of the Department will be affected by the scheme, by order subject to negative resolution, make a scheme for requiring that carcases of such description as may be specified in the order shall be marked by officers of the Department in such circumstances and in such manner as may be prescribed by the order.

(2) Without prejudice to section 17 of the Interpretation Act (Northern Ireland) 1954, the order may specify the carcases to which it is to apply by reference to the type of livestock and the type of carcases, may distinguish between imported carcases, carcases of livestock imported into Northern Ireland and carcases of other livestock slaughtered in Northern Ireland and may make other distinctions for different cases and shall be subject to such exceptions or exemptions as may be made by or under the order.

(3) An order under this Article—

(a) may impose duties and restrictions on any persons and in particular on persons having the control or management of slaughterhouses, for the purposes of enabling the Department to operate the scheme and, without prejudice to the generality of this provision, may—

(i) restrict the cutting and other operations which may be carried out on carcases before they are marked, and prohibit their removal from the place of slaughter or importation before being marked;

(ii) require persons responsible for premises where the scheme operates and persons subsequently dealing with carcases required to be marked in accordance with the scheme, to keep records relating to their dealings in such carcases;

(iii) require persons having control or management of slaughterhouses to provide adequate accommodation for officers of the Department operating the scheme;

(b) may provide that there shall be payable to the Department in respect of the marking of carcases such fees as may, with the approval of the Department of Finance, be prescribed in the order and such fees shall be payable by such persons and at such times as may be so prescribed;

(c) may make such other provision as is necessary or expedient for carrying out the scheme.

(4) For the purpose of ascertaining whether a scheme under this Article is being complied with or an offence has been committed under this Article an authorised officer may, on producing if so required a duly authenticated document showing his authority, require a person carrying on or managing a slaughterhouse or other undertaking for the slaughter of livestock, or an undertaking for the storage, processing, grading, classification, packing or cutting of carcases, or for the sale of carcases by wholesale, to produce any books, accounts or records relating to the conduct of the undertaking which the officer may require to inspect and may take a copy or extract from any such book, account or record produced to him.

(5) If any person contravenes or fails to comply with any provision of a scheme made under this Article or to comply with a requirement under paragraph (4) he shall be guilty of an offence and liable on summary conviction to a fine not exceeding**[**F1 level 5 on the standard scale**]** or to imprisonment for a term not exceeding three months or both.

(6) If any person wilfully obstructs an authorised officer of the Department in the performance of his duty in connection with the operation of a scheme made under this Article, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding**[**F1 level 3 on the standard scale**]**.

(7) If any person—

(a) with intent to deceive, removes, alters, conceals or defaces any mark applied in the course of the operation by the Department of a scheme made under this Article; or

(b) applies to any carcase, without due authority and with intent to deceive, any mark prescribed by a scheme so made or applies to any carcase a mark so closely resembling a mark so prescribed as to be calculated to deceive; or

(c) wilfully makes a false entry in any record which is required to be kept in pursuance of a scheme so made or, with intent to deceive, makes use of any such entry which he knows to be false.

he shall be guilty of an offence and liable on summary conviction to a fine not exceeding**[**F1 level 5 on the standard scale**]** or to imprisonment for a term not exceeding three months or both, or on conviction on indictment to a fine or to imprisonment for a term not exceeding two years or both.

(8) In this Article—

"authorised officer" means an officer authorised by the Department;

"carcases" means whole carcases of livestock, and sides, quarters and other wholesale cuts of carcases;

"the Department" means the Department of Agriculture;

"livestock" means cattle, sheep and pigs;

"slaughterhouse" means a place for slaughtering animals the flesh of which is intended for sale for human consumption and includes any place 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.