

ABATTOIRS (CONTROL OF DESIGNATED BOVINE OFFAL) REGULATIONS 1996

I, Ivan Yates, Minister for Agriculture, Food and Forestry, in exercise of the powers conferred on me by sections 39 of the Abattoirs Act, 1988 (No. 8 of 1988), as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister) Order, 1993 (S.I. No. 11 of 1993), hereby make the following Regulations:

REG 1

1 Citation and Commencement

1. (1) These Regulations may be cited as the Abattoirs (Control of Designated Bovine Offal) Regulations, 1996.

(2) These Regulations shall come into operation on the twenty second day of April, 1996.

REG 2

2 Definitions

2. In these Regulations —

"bovine animal" means a bull, cow, heifer, steer or calf of the bovine species;

"designated bovine offal" means the bones of the skull, the brain, eyes, spinal cord, spleen, thymus, tonsils and intestines of a bovine animal and mechanically recovered meat obtained from bovine vertebrae excluding the tail vertebrae;

"intestines" mean that part of the digestive tract of a bovine animal from the junction of the abomasum and the duodenum to, and including, the rectum.

REG 3

3 Requirements for Designated Bovine Offal

3. (1) The Minister may lay down conditions for the granting of licenses for the sale, use, or preparation of designated bovine offal.

(2) No person shall:

(a) use any designated bovine offal in the preparation of food for sale for human consumption,

(b) sell or offer for sale any designated bovine offal for use in the preparation of food for human consumption, unless that person has been licenced to do so by the Minister in accordance with the provisions of these Regulations.

REG 4

4 Licensing Procedures

4. (1) The Minister shall authorise the sale, use or preparation of designated bovine offal obtained only from a premises licenced or approved by the Minister.

(2) (a) Subject to the subsequent provisions of this paragraph, on application to the Minister in that behalf by or on behalf of any person and on payment of such fee as he may specify, the Minister may grant a licence to the person authorising the sale, use or preparation of the designated bovine offal as specified in the licence.

(b) The Minister may if he thinks it appropriate to do so and for the purposes of ensuring compliance with these Regulations and having regard to the provisions of this Regulation, attach conditions to a licence at the time of the grant of the licence or subsequently and may amend or revoke a condition attached to a licence.

(c) The Minister may revoke a licence held by a person where he is satisfied that the conditions of the licence have not been met by the licensee.

(3) The Minister may attach such conditions to a licence as he considers appropriate including —

(i) a requirement to keep records of the source of all designated bovine offal obtained by him and the subsequent use or disposal of such offal,

(ii) the provision of suitable and adequate facilities to store and handle the designated bovine offal,
at the time of the grant of a licence or subsequently and may amend or revoke a condition attached to a licence.

(4) (a) An application for a licence under this Regulation shall be made on such form as the Minister may specify.

(b) A person applying for a licence under these Regulations shall furnish the Minister with such information as he may reasonably require for the purposes of his functions under these Regulations.

(c) The Minister may refuse to grant a licence under this Regulation if, in relation to the application therefor, information required by him has not been furnished to him or information that is, in the opinion of the Minister, false or misleading in a material particular has been furnished to him.

(d) (i) Where the Minister proposes to refuse to grant or to revoke a licence under this Regulation or to amend or revoke a condition attached to such a licence, he shall notify in writing the person who made the application for or, as the case may be, holds the licence, of his proposal and the reasons for it.

(ii) A notification under this Regulation shall be served on the person to be affected thereby, either by delivering it to him personally, or by leaving it for him at his last known place of abode or business, or by sending it through the post in a prepaid envelope addressed to that person there.

(iii) A person who has been notified of a proposal under subparagraph (i) may, within 14 days of receipt of the notification, make representations in writing to the Minister and the Minister shall—

(I) before deciding the matter take into consideration any representation duly made to him under this paragraph in relation to

the proposal, and

(II) notify the person in writing of his decision and the reasons therefor.

(iv) A notification under subparagraph (i) shall include a statement that the person concerned may make a representation to the Minister within 14 days of the receipt by him of the notification.

(v) Notwithstanding any other provision of this Regulation, the Minister may revoke a licence or require immediate suspension of some or all of the activities provided for under the licence if the Minister is of the opinion that the continued operation of the activities provided for by the licence poses a grave and immediate danger to human or animal health or the environment arising from the manner in which the designated bovine offal is used, distributed or stored or from the manner in which the premises or facility where such activities take place is managed or maintained.

REG 5

5 Responsibilities for Designated Bovine Offal in a Cutting Plant, Slaughterhouse or an Abattoir

5. (1) The separation of designated bovine offal from the carcase of a bovine animal may take place only in a slaughterhouse, abattoir or cutting plant which has been approved or licenced by the Minister or is operating under the Abattoirs Act, 1988 (No. 8 of 1988), the Pigs and Bacon Act, 1935 (No. 24 of 1935) or the Agricultural Produce (Fresh Meat) Act, 1930 (No. 10 of 1930).

(2) When a bovine animal is slaughtered in a slaughterhouse or abattoir, the owner or person in charge of such slaughterhouse or abattoir, as the case may be, shall ensure that all designated bovine offal is kept separate from the edible parts of the carcase or any edible meat or offal.

(3) The owner or person in charge of the slaughterhouse abattoir or cutting plant, as the case may be, shall ensure that the designated bovine offal, other than offal which is licenced in accordance with Regulation 4, is stained with a staining ink or other marking material, approved by the Minister, as may be required by the Minister.

(4) The owner or person in charge of the slaughterhouse abattoir or cutting plant, as the case may be, shall ensure that the designated bovine offal, which has been separated from the carcase, does not come into contact with any other edible meat or offal while it is in the slaughterhouse, abattoir or cutting plant, as the case may be, and that it is disposed of in accordance with the provisions of these Regulations.

REG6

6 Disposal of Designated Bovine Offal

6. Designated bovine offal, other than offal licenced by the Minister under Regulation 4, shall be disposed of, only after rendering, in accordance with the provisions of European Communities (Disposal, Processing and Placing on the Market of Animal By-products) Regulations, 1994 (S.I. No. 257 of 1994).

GIVEN under my Official Seal this 16th day of April, 1996
Ivan Yates,
Minister for Agriculture, Food and Forestry.

EXPLANATORY NOTE

These Regulations controls the use of designated bovine offal. This offal must be removed in an approved slaughterhouse or abattoir and be kept separate from other meat and edible offal. It must then either be utilised under a licence issued by the Minister for Agriculture, Food and Forestry or be disposed of following rendering.