

EUROPEAN COMMUNITIES (FRESH POULTRY MEAT) REGULATIONS 1996

I, IVAN YATES, Minister for Agriculture, Food and Forestry, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972) and for the purpose of giving effect to Council Directive No. 71/118/EEC as amended by Council Directive No. 92/116/EEC(1) of 17 December 1992 and by Council Directive No. 94/65/EC(2) of 14 December 1994, hereby make the following Regulations:

- (1) O.J. No. L62 of 15.3.1993, p. 1.
- (2) O.J. No. L368 of 31.12.1994, p. 10.

PART I.

Preliminary.

REG 1

1 Title and Commencement.

- 1. (1) These Regulations may be cited as the European Communities (Fresh Poultry meat) Regulations, 1996.
- (2) These Regulations shall come into operation on the eighth day of January, 1996.

REG 2

Interpretation.

- 2. (1) In these Regulations, except where the context otherwise requires—

"authorised officer" means a person authorised in writing by the Minister to exercise for the purposes of these Regulations and the Council Directive the powers conferred on an authorised officer by these Regulations;

"auxiliary" means an officer or servant appointed by the Minister who may assist the official veterinarian in the performance of his duties under these Regulations and has the meaning assigned in the Council Directive;

"certificate" means a veterinary certificate or any other document issued by an official veterinarian and has the meaning and form assigned to it in the Council Directive;

"commercial document" has the meaning assigned to it in the Council Directive;

"consumer" means a person who buys fresh poultry meat—

- (a) for his own consumption;
- (b) for consumption on premises either in his ownership or under his personal supervision or in the ownership or under the personal supervision of a person employed by him; or
- (c) for cooking on premises either in his ownership or under his personal supervision or in the ownership or under the personal

supervision of a person employed by him for sale as take-away food for consumption off those premises;

"the Council Directive" means Council Directive No. 71/118/EEC as amended by Council Directive No. 92/116/EEC of 17 December 1992 and by Council Directive No. 94/65/EC of 14 December 1994;

"delayed eviscerated poultry" means poultry which is eviscerated within 15 days of slaughter, and meat and cuts therefrom;

"establishment" means a slaughterhouse, a cutting plant, a cold store, a rewrapping centre or a unit grouping together several such establishments;

"low-capacity cutting plant" means a cutting plant producing less than 3 tonnes of cut poultry meat each week;

"Member State" means a Member State of the European Communities;

"the Minister" means the Minister for Agriculture, Food and Forestry;

"New York dressed poultry" means a poultry carcase which is not eviscerated immediately after slaughter and is sold in carcase form to the retailer or consumer;

"official veterinarian" means an authorised officer who is a registered veterinary surgeon and who is appointed by the Minister to discharge the functions of an official veterinarian as set down by these Regulations and by the Council Directive;

"poultry" means the species as defined in the Council Directive;

"premises" includes any land and any buildings, structures or private dwellings;

"sell" includes offer, expose or keep for sale, invite an offer to buy, barter, distribute (whether for reward or not) or otherwise place on the market and kindred words shall be construed accordingly;

"third country" means a country which is not a member of the European Communities;

"registered veterinary surgeon" means a person currently registered in the register established under the Veterinary Surgeons Act, 1931 (No. 36 of 1931).

(2) A word or expression that is used in these Regulations and is also used in the Council Directive has, unless the contrary intention appears, the same meaning in these Regulations as it has in the Council Directive.

(3) In these Regulations—

(a) a reference to a Regulation is to a Regulation of these Regulations, unless it is indicated that reference to some other provision is intended;

(b) a reference to a Schedule is to a Schedule to these Regulations;

(c) a reference to a paragraph or subparagraph is to the paragraph or subparagraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.

REG 3

3 General Conditions and Exemptions.

3. (1) Subject to the provisions of paragraphs (3), (4) and (7), a person shall not produce or cause to be produced, obtain, rewrap, cut, store or place on the market fresh poultry meat other than in compliance with these Regulations.

(2) Subject to the provisions of paragraphs (3), (4) and (7), a person shall not use any establishment for the production, rewrapping, cutting or storage of fresh poultry meat or place such poultry meat on the market unless that establishment has been approved by the Minister in accordance with these Regulations.

(3) The requirements of these Regulations shall not apply to the cutting and storage of fresh poultry meat in retail shops or in premises adjacent to sales points, where the cutting and storage are performed solely for the purpose of supplying the consumer directly.

(4) (a) Subject to the provisions of subparagraphs (b) (c) and (d), the provisions of paragraphs (1) and (2) shall not apply to fresh poultry meat including New York dressed and delayed eviscerated poultry produced by a farmer, within the meaning of Article 3.II of Annex B to the Council Directive, or other person whose weekly production does not exceed 200 head of poultry provided that the fresh poultry meat is sold:

(i) directly to the consumer at the holding or at the weekly market nearest to the farmer's holding, or

(ii) to a retailer with a view to direct sale to the final consumer provided that the retailer carries on business in the same county as the farmer or in an adjoining county.

(b) The provisions of paragraphs (1) and (2) shall not apply to New York dressed poultry produced at a premises with an annual production of under 10,000 head of poultry per annum provided that such poultry is sold during the period of three weeks which immediately precede Christmas day and Easter Sunday each year.

(c) The combined production limit of fresh poultry meat, including New York dressed and delayed eviscerated poultry, produced under subparagraphs (a) and (b) shall not, under any circumstances, exceed 10,000 head of poultry per annum.

(d) The sales referred to in subparagraphs (a) and (b) shall not apply in respect of itinerant sales, sale by mail order or, as regards the retailer, sale at a market.

(5) The owner or person in charge of the holding where poultry is produced in accordance with the exemptions outlined in paragraph (4) shall keep a register of the number of poultry entering the slaughter facility, the origin of such poultry and the number of slaughter products leaving it. This information shall be made available to an authorised officer if he so requests.

(6) Notwithstanding the provisions of paragraphs (4) and (5), no person shall sell poultry in carcase or any other form, from any slaughterhouse, farm or holding unless it bears or there is attached

to each such body a label or other marking clearly indicating the name and the address of the owner or occupier of the premises where such poultry was slaughtered.

(7) The provisions of paragraphs (1) and (2) shall not apply to low-capacity cutting plants unless they are situated in an establishment approved by the Minister in accordance with Regulation

4. It is the responsibility of the owner or person in charge of a low-capacity cutting plant to have available, on request from an authorised officer, a written record of the plant's weekly production.

PART II.

Approval of Fresh Poultry meat Establishments

REG 4

Conditions of Approval for Fresh Poultry meat Establishments.

4. (1) Subject to the provisions of Regulations 3 and 6, the Minister may, on application, approve an establishment for the preparation, cutting and storage of fresh poultry meat provided he is satisfied that such establishment—

(a) in the case of slaughterhouses, meets the conditions laid down in Chapters I and II of the Schedule;

(b) in the case of cutting plants, that they meet the conditions laid down in Chapters I and III of the Schedule;

(c) in the case of cold stores, that they meet the conditions laid down in Chapters I and IV of the Schedule.

(2) An approval granted under this Regulation shall relate to the owner of the establishment who originally applied for the approval. This approval shall cease in the event of the establishment being sold, ceasing trading or operation, or in the event of the death of the owner or the owner being adjudged bankrupt. Approval will also cease where an incorporated body is for any reason dissolved.

REG 5

5 Conditions of Approval for Rewrapping Centres.

5. (1) No person shall use a premises as a rewrapping centre for fresh poultry meat unless it has been approved by the Minister.

(2) The Minister may lay down the conditions for approval of rewrapping centres.

(3) The Minister may, on application, approve a premises as a rewrapping centre for fresh poultry meat provided he is satisfied that such premises meets the approval conditions.

(4) An approval granted under this Regulation shall relate to the owner of the rewrapping centre who originally applied for the approval. This approval shall cease in the event of the rewrapping centre being sold, ceasing trading or operation, or in the event of the death of the owner or the owner being adjudged bankrupt.

Approval will also cease where an incorporated body is for any reason dissolved.

REG 6

Permanent Derogations.

6. (1) The Minister may, on application, and subject to such conditions as he may specify, permit derogations from the requirements of Chapter I of the Schedule for low-capacity coldstores, within the meaning of Article 7.C of Annex B to the Council Directive, in which meat is stored provided it is packaged.

(2) The Minister may, on application, and subject to the requirements of Article 7.A of Annex B to the Council Directive, exempt a slaughterhouse handling over 10,000 and under 150,000 head of poultry per year from the structural and infrastructural requirements of the Schedule provided he is satisfied that such a slaughterhouse can meet the requirements laid down in Article 7.A of Annex B to the Council Directive.

PART III

Conditions for the Production and Marketing of Fresh Poultry meat

REG 7

General Conditions.

7. (1) Fresh poultry meat intended to be placed on the market shall accord with the provisions of this Part of the Regulations. In the case of carcasses and offal, they shall—

- (a) come from a bird inspected before slaughter in accordance with the provisions of Chapter VI of the Schedule and be considered, following such inspection, by the official veterinarian, to be suitable for slaughter;
- (b) be obtained from a slaughterhouse which has been approved by the Minister in accordance with Regulation 4 and, in addition, be the subject of the checks required in accordance with Article 8 of Annex B of the Council Directive;
- (c) be treated under satisfactory hygiene conditions in accordance with Chapter VII of the Schedule;
- (d) be inspected post mortem in accordance with Chapter VIII of the Schedule and be found fit for human consumption, by the official veterinarian, in accordance with the Chapter IX of the Schedule;
- (e) be given a health marking conforming to the requirements of Chapter XII of the Schedule, on the understanding that such marking is not necessary for carcasses that are cut in the same establishment;
- (f) after post mortem inspection be handled in accordance with paragraph 46 of Chapter VII of the Schedule and be stored in accordance with Chapter XIII of the Schedule under satisfactory

hygiene conditions;

(g) be suitably wrapped and packaged in accordance with Chapter XIV of the Schedule; where a protective covering is used, it shall satisfy the requirements of that Chapter;

(h) be transported under satisfactory hygienic conditions in accordance with Chapter XV of the Schedule.

(i) be accompanied, other than in cases of trade between approved establishments, during their transport by:

(a) either a commercial document. This document shall—

(I) in addition to the particulars required in paragraph 66 of Chapter XII of the Schedule, bear a code number by which the official veterinarian responsible for the health inspection on the day the poultry meat was produced can be identified;

(II) be kept by the consignee for at least one year so that it can be produced at the request of an authorised officer;

or

(b) a health certificate from a slaughterhouse in a region or area restricted on health grounds, within the meaning of Article 3.I.A. (i) of Annex B to the Council Directive, or in the case of fresh poultrymeat to be sent to another Member State after transit through a third country in a sealed means of transport.

(2) Parts of carcasses or boned poultry meat shall—

(a) be cut or boned in a cutting plant approved by the Minister in accordance with Regulation 4;

(b) be cut and obtained in accordance with the requirements of Chapters VII and X of the Schedule and come from—

(i) fresh poultry meat which complies with paragraph (1), or

(ii) carcasses of poultry imported from third countries in accordance with the provisions of Regulation 11;

(c) be subject to checks by an official veterinarian in accordance with Article 8 (1) of Annex B to the Council Directive;

(d) satisfy the requirements at subparagraphs (c), (h) and (i) of paragraph (1);

(e) be wrapped, packaged and health marked in accordance with subparagraphs (e) and (g) of paragraph (1) at an establishment approved by the Minister under the terms of Regulation 4 or at a rewrapping centre approved by the Minister in accordance with Regulation 5.

(f) be stored under satisfactory hygiene conditions and in accordance with the conditions of Chapter XIII of the Schedule;

(3) When cutting plants use fresh meat other than poultry meat, such meat shall conform with the relevant standards of the European Communities (Rabbit Meat and Farmed Game Meat) Regulations, 1995 (S.I. No. 278 of 1995) or the European Communities (Wild Game) Regulations, 1995 (S.I. No. 298 of 1995) or Council Directive 64/433/EEC(3), as appropriate.

(3) Updated by Council Directive No. 91/497/EEC — O.J. No. L268 of 24.9.91, p. 69.

(4) Fresh poultry meat which has been stored in a cold store approved in accordance with Regulation 4 and which has not

thereafter undergone any handling, except in connection with storage, shall meet the requirements of subparagraphs (c), (e), (g) and (h) of paragraphs (1) and (2) or be fresh poultry meat imported from third countries in accordance with Regulation 11.

(5) The provisions of paragraph (1) of this Regulation shall not apply to—

(a) fresh poultry meat intended for uses other than human consumption;

(b) fresh poultry meat intended for exhibition, special studies or analysis, provided that such meat is not used for human consumption and that, when the exhibition is over or the special studies or analysis have been carried out, such meat, with the exception of that used for the purposes of the analysis, is destroyed;

(c) fresh poultry meat intended exclusively as supplies for international organisations, within the meaning of Article 3.III. (c) of Annex B to the Council Directive.

REG 8

Health Marking Conditions.

8. (1) A person shall not place on the market fresh poultry meat unless it bears the EC health mark, in the case of establishments approved under Regulation 4 or 5.

(2) A health mark, which shall accord with the requirements of Chapter XII of the Schedule, shall be applied in accordance with paragraph 67 of that Chapter.

(3) It is the responsibility of the owner or person in charge of an establishment to ensure that the provisions of this Regulation (S.I. No. 362 of 1992) as amended by the European Communities (Live Poultry and Hatching Eggs) (Amendment) Regulations, 1995 (S.I. No. 45 of 1995) were:

(4) Wrapping and packaging materials bearing the health mark shall be subject to such record and control systems as the official veterinarian considers necessary.

PART IV

Testing for Residues

REG 9

9. (1) The official veterinarian may test for residues in accordance with Community and national legislation and where he suspects their presence in fresh poultry meat or poultry on the basis of the findings of the pre-slaughter inspection or any other information. The official veterinarian may test for residues of substances having a pharmacological action and their derivatives, compliance with withdrawal periods, and for other substances transmissible to poultry meat which are likely to render the consumption of fresh

poultry meat dangerous or harmful to human health.

(2) If the results are positive, the official veterinarian shall take appropriate measures to take account of the risk incurred, and in particular to:

- (a) step up checks on the poultry raised or any quantity of meat obtained in technologically similar conditions and likely to present the same risk,
- (b) step up checks on other flocks on the holding of origin and, should the problem recur, take appropriate measures regarding the holding of origin,
- (c) where necessary, where a positive test result is confirmed, seize and destroy or cause to have destroyed such poultry meat and the consignment it may have originated from,
- (d) take measures regarding the production chain, if there is ambient contamination.

(3) The tolerances for the substances referred to in paragraphs (1) and (2), shall be established in accordance with the procedure provided for in Article 21 of Annex B to the Council Directive. Until the entry into force of these implementing measures, national rules shall be applicable.

(4) Poultry meat cannot be placed on the market for human consumption where:

- (a) it originates from poultry affected by the diseases referred to in Council Directive No. 91/494/EEC(4) of 26 June 1991;
 - (b) it shows traces of residues in quantities which exceed the tolerance set down in Article 4.2 of Annex B to the Council Directive or has been treated with antibiotics, tenderizers or preservatives, unless these preservatives are authorised under Community legislation, on the understanding that agents used specifically to promote water retention are prohibited, as well as any quantity of poultry meat obtained in technologically similar conditions and likely as a result to present the same risk;
 - (c) it originates from animals found to have one of the faults listed in paragraph 53 (a) of Chapter IX of the Schedule;
- (4) O.J. No. L268 of 24.9.1991, p. 35.

(d) it has been declared unfit for human consumption pursuant to paragraphs 53 (b) and 54 of Chapter IX of the Schedule.

(5) Fresh poultry meat shall not be subject to ionising or ultraviolet radiation.

(6) Mechanically recovered meat may only be traded if it has previously undergone heat treatment in accordance with the European Communities (Meat Products and Other Products of Animal Origin) Regulations, 1995 (S.I. No. 126 of 1995) in the establishment of origin or any other approved establishment designated by the Minister.

REG 10

Animal Health Conditions.

10. Fresh poultry meat intended to be placed on the market shall, in the case of intra-Community trade in poultry meat governed by the terms of Council Directive No. 91/494/EEC of 26 June 1991, be accompanied by the health certificate referred to in Article 3 of that Directive.

PART V

Imports from Third Countries

REG 11

11. (1) No person shall import fresh poultry meat from a third country unless:

(a) it comes from a third country or part of a third country from which imports are not prohibited on animal health grounds;

(b) it comes from a third country or part of a third country which is listed for the time being in accordance with Articles 9 (1) and 9 (2) of Council Directive 91/494/EEC that the poultry meat meets the requirements of these Regulations and of the Council Directive;

(c) it comes from an establishment in the third country concerned which has been approved for the time being in accordance with the procedure provided for in Article 21 of Annex B to the Council Directive;

(d) it is accompanied by a health certificate referred to in Article 12 of Directive 91/494/EEC supplemented, if necessary, by a declaration drawn up in accordance with Article 21 of Annex B to the Council Directive.

(2) The requirements of this Regulation are in addition to and not in substitution for the requirements laid down in the European Communities (Importation of Animals and Animal Products from Third Countries) Regulations, 1994 (S.I. No. 255 of 1994).

PART VI

Conditions relating to all Establishments

REG 12

Responsibilities of the Owner or Person in charge.

12. (1) A person who is for the time being the owner or person in charge of an establishment approved by the Minister in accordance with Regulation 4 or 5 shall ensure that, at all stages of slaughter, production, cutting, rewrapping or storage, the

specifications of these Regulations are complied with. To this end, the said persons shall regularly carry out:

- (a) their own checks on the general hygiene of conditions of production in the establishment, inter alia, by means of microbiological checks;
- (b) checks on the utensils, fittings and machinery at all stages of production and, if necessary, products;
- (c) such sampling, as is specified by the official veterinarian, for the purpose of checking cleaning and disinfection methods and for checking compliance with the standards as may be set by the Minister from time to time;
- (d) and maintain a written or registered record of the information required under subparagraphs (a) and (b) which should be kept for examination, upon request, by the official veterinarian for a period of at least two years; and
- (e) the requirements of subparagraphs (a) and (b); these shall be drawn up in conjunction with and to the satisfaction of the official veterinarian, who may monitor compliance with the requirements of this paragraph as he considers necessary.

(2) The person who is for the time being the owner or person in charge of an establishment shall in accordance with the directions of the official veterinarian and subject to any time limits that he may specify, arrange a staff training programme enabling workers, who have not, in the opinion of the official veterinarian, already received acceptable training, to satisfy the hygiene standards appropriate to that type of production.

(3) The owner or person in charge of a cutting plant or of a rewrapping centre approved in accordance with Regulation 4 or 5 shall ensure that written or registered records are kept of fresh poultry meat entering and leaving the establishment specifying the nature of the poultry meat received. This information shall be kept for examination, upon request, by the official veterinarian for a period of at least two years.

(4) The official veterinarian may analyse the results of the checks provided for in paragraph (1). He may, on the basis of these analyses, conduct further examinations at all stages of production and on the meat or products.

(5) The official veterinarian may instruct the owner or person in charge of an establishment to carry out an increased number of tests.

(6) Where the official veterinarian finds a failure to comply with hygiene rules laid down in these Regulations or the Council Directive, he may require the owner or person in charge of the establishment to remedy such defects as he may specify within a specified period. The owner or person in charge of an establishment shall rectify any shortcomings notified to him by the official veterinarian under this Regulation.

(7) Where the owner or person in charge fails to carry out any instruction issued by the official veterinarian under paragraph (6) or where the official veterinarian considers that there is a serious

hygiene risk in an establishment, he may—

- (i) require the owner or person in charge of the establishment or premises to reduce the rate of production; or
- (ii) require the owner or person in charge to temporarily suspend the type of production in question; or
- (iii) seize the wrappers, labels, stamps and seals bearing the health mark.

PART VII

Ministerial Approval, Inspection and Supervision

REG 13

Granting of Ministerial Approval

13. (1) When the Minister approves an establishment in accordance with Regulations 4 or 5, he shall allocate an approval number to that establishment and shall notify the owner or person in charge of the establishment in writing of the approval and of the number.

(2) A single approval number may be given to an establishment processing or rewrapping products obtained from or with raw materials covered by Article 2 (d) of Council Directive 77/99/EEC(5).

(5) As Amended by Council Directive No. 92/5/EEC of 10 February - O.J. No. L57 of 2.3.1992, p.1.

(3) A list of establishments approved under Regulations 4 and 5 shall be maintained by the Minister.

(4) The Minister may attach conditions, as he sees fit, at the time of granting of an approval under Regulations 4 or 5, or subsequently, and may amend or revoke a condition attached to the approval and shall notify the owner or person in charge of the establishment concerned in writing of the conditions, amendment or revocation concerned.

(5) The Minister may, if he is satisfied that the relevant provisions of these Regulations are not being complied with in relation to an establishment, refuse to approve the establishment and shall notify the owner or person in charge of the establishment in writing of the refusal and the reasons for such refusal.

(6) In the event of continued non compliance with these Regulations or failure by the owner or person in charge of an approved establishment to take the measures required under these Regulations the Minister may either temporarily suspend or revoke an approval.

(7) The Minister shall not—

(a) revoke or suspend an approval given under Regulations 4 or 5, or

(b) refuse to approve an establishment on foot of an application, without—

(i) noticing the holder of, or applicant for, the approval of his intention to revoke or suspend or refuse the approval, as the case may be; and

(ii) specifying his reason for the intended revocation or suspension

or refusal, as the case may be; and

(iii) affording the holder of, or applicant for, the approval an opportunity of making representations within 14 days or having representations made on his behalf to the Minister in relation to the proposed revocation or suspension or refusal, as the case may be.

(8) Where an approval granted to an establishment under Regulation 4 or 5 is suspended or revoked, the owner or person in charge of that establishment shall not slaughter, produce, cut, rewrap, store, or place on the market, supply, sell or use poultry meat or products originating from that establishment subsequent to the date of revocation or suspension, as the case may be, except with the approval of the Minister.

(9) The Minister may restore approval, if approval has been suspended in accordance with paragraph (6), in instances where—

(a) the owner or person in charge of the suspended establishment has rectified the shortcomings notified to him by the Minister, and

(b) the tests or checks carried out by the official veterinarian confirm the safety of the fresh poultry meat emanating from the suspended establishment, and

(c) the Minister is satisfied that the suspended establishment will fully comply with the requirements of Regulations 12.

(10) Notwithstanding the other provisions of this Regulation, the Minister may where he is satisfied that there is a serious and immediate risk to animal and human health, suspend without notice an approval granted under these Regulations.

REG 14

Certificates and Commercial Documents.

14. (1) Consignments of fresh poultry meat shall be accompanied during transportation by either a health certificate or by a commercial document in accordance with Regulation 7 (1) (i) (a). It shall be made available on request by an authorised officer or an official veterinarian.

(2) Any person who sends or receives a consignment of fresh poultry meat accompanied by a commercial document or a health certificate, shall retain a copy of that document or certificate and shall make it available for inspection when requested by an authorised officer or an official veterinarian, for a period of at least one year after receipt or sending.

(3) An application for a health certificate or the authorisation of a commercial document required for the purposes of compliance with these Regulations shall be made to the official veterinarian and shall be in such form and contain such particulars as the Minister may require and, unless the Minister otherwise agrees, such an application shall be received by the official veterinarian to whom it is made not later than the day, being a day which is not a Saturday, Sunday or a bank or public holiday, preceding the day on which the certificate or the authorisation of the commercial document

is required by the applicant.

(4) A person shall not supply false or misleading particulars to an official veterinarian for the purpose of obtaining a health certificate or the authorisation of a commercial document.

REG 15

Powers to protect Public and Animal Health.

15. (1) Where in relation to any fresh poultry meat intended for human consumption, an authorised officer forms an opinion that there is a risk to animal or public health—

(a) he may seize any fresh poultry meat, or

(b) he may serve or cause to be served on any person who is the owner of the fresh poultry meat or an importer, or exporter of such poultry meat or the person who appears to such officer to be in control for the time being of such poultry meat a notice requiring either the owner, importer, exporter, or person in control for the time being of the fresh poultry meat, that such poultry meat—

(i) in the case of an authorised officer who is an official veterinarian, be destroyed in such manner and at such place as the authorised officer shall direct, or

(ii) be used or disposed of in such manner as the authorised officer shall direct.

Any costs pertaining to action required under subparagraphs (i) and (ii) will be borne by the person on whom the notice is served.

(2) A requirement contained in a notice may specify a time limit within which it is to be complied with.

(3) A requirement specified in a notice served under paragraph (1) (in this paragraph referred to as "the earlier notice") may be modified or withdrawn in a further such notice and in that event the earlier notice shall have effect subject to such modification or withdrawal.

(4) A notice may require the owner, importer, exporter, or person in control for the time being of the fresh poultry meat, as the case may be, to choose between two or more of the requirements specified in the notice.

(5) A notice referred to in paragraph (1) may be served on the owner, importer, exporter, or person in control for the time being of the fresh poultry meat, as the case may be, by delivery of it by hand, or by sending it by prepaid registered post to or by leaving it at his last known place of abode or business.

(6) (a) An owner, importer, exporter or person in control for the time being of the fresh poultry meat may appeal within 7 days of the seizure of the fresh poultry meat or service of the notice under paragraph (1) to the Judge of the District Court having jurisdiction in the District Court District where such poultry meat is situated or to the Judge of the District Court having jurisdiction in the District Court District where the person bringing the appeal ordinarily resides or carries on business on the grounds that the seizure or the notice or any of the terms thereof are not

justified having regard to the provisions of these Regulations.

(b) An appeal made pursuant to subparagraph (a) may be heard at any sitting of the District Court within the appropriate District Court District.

(c) (i) Notice of an appeal made pursuant to subparagraph (a) shall be served on the Minister and the said notice shall be served at least 48 hours prior to the hearing of the appeal by serving it on the Minister or by leaving it at the place and in the manner specified in the notice issued under this Regulation; (ii) the notice of appeal shall contain a statement of the grounds upon which it is alleged that the seizure or the notice or any of the terms thereof are not justified.

(d) A copy of the notice of appeal shall be lodged with the District Court Clerk in the manner specified in the notice issued pursuant to paragraph (1), at least 48 hours prior to the hearing of the appeal.

(e) The Minister shall, as well as the appellant, be entitled to be heard and to adduce evidence at the hearing of an appeal brought under paragraph (6) of this Regulation in opposition to an appeal made pursuant to this Regulation.

(7) On the hearing of an appeal under this Regulation a Judge of the District Court may, at his discretion, confirm, modify, or annul the action taken under paragraph (1).

(8) (a) No person, including a person upon whom a notice has been served under paragraph (1), shall deal with the fresh poultry meat concerned other than in accordance with the terms of the notice.

(b) In the event of an appeal against the terms of a notice referred to in subparagraph (a), pursuant to paragraph (6), no person, including the person appealing, shall deal with the fresh poultry meat concerned pending the determination of the appeal other than in accordance with such directions as shall be given in writing to the appellant by an authorised officer.

(c) Where the terms of a notice referred to in subparagraph (a) are confirmed with or without modification by the Judge of the District Court hearing the appeal made under the said paragraph (6) no person, including the person who made the appeal, shall deal with the fresh poultry meat concerned other than in accordance with such notice as confirmed.

(9) (a) Where—

(i) an owner, importer, exporter or a person for the time being in control of the fresh poultry meat fails to comply with the terms of a notice served upon him under paragraph (1) within the time specified therein, or

(ii) an authorised officer has reasonable grounds for believing that the terms of a notice served under paragraph (1) will not be complied with, or

(iii) a notice served under paragraph (1) has been confirmed with or without modification under paragraph (7) and the notice has not been complied with, or

(iv) an authorised officer has reasonable grounds for believing that the terms of a notice served under paragraph (1) which has been confirmed with or without modification under paragraph (7) will not be complied with, or

(v) pending the determination of an appeal made pursuant to subparagraph (a) of paragraph (6), an authorised officer has reasonable grounds for believing that directions given pursuant to paragraph (8) have not been or shall not be complied with, an authorised officer may at any time seize the fresh poultry meat at such premises or place as he thinks fit in the circumstances of the case.

(b) In relation to any seized fresh poultry meat, an authorised officer who is an official veterinarian may destroy it, or cause it to be destroyed in such manner and at such place as such officer shall direct, or such poultry meat may be used or disposed of in such manner as an authorised officer shall direct.

(c) Any profits arising out of the disposal of the fresh poultry meat referred to in subparagraph (b) shall be paid to the owner of such poultry meat less any expenses incurred in connection with the said disposal.

(10) The costs of disposal or destruction of the fresh poultry meat under this regulation shall, subject to the provisions of subparagraph (9) (c), be recoverable by the Minister as a simple contract debt in any court of competent jurisdiction from the person who was the owner of such meat at the time the disposal or destruction was carried out.

(11) In this Regulation—

"importer" and "exporter" include any person who, whether as owner, consignor, consignee, agent or broker is in possession of or in any way entitled to the custody or control of the fresh meat which is being or has been imported into or exported from the State.

REG 16

Powers of Inspection

16. (1) The Muster may appoint such and so many persons as he thinks fit to be authorised officers for the purposes of these regulations.

(2) An authorised officer shall be furnished with a warrant of this appointment by the Minister as an authorised officer and when exercising any power conferred on him by these Regulations such officer shall, if requested by any person affected, produce the warrant to that person.

(3) An authorised officer or an expert from the European Commission, within the meaning of Article 10.1 of Annex B to the Council Directive, may at all reasonable times enter an establishment approved under these Regulations or for which an application for approval has been received for the purposes of carrying out inspections and supervision as required by these Regulations and the Council Directive.

(4) An Authorised officer may at all reasonable times enter an establishment or any other premises or place in which he has reasonable grounds for believing that fresh poultry meat is being produced for human consumption or for placement on the market in contravention of these Regulations and the Council Directive.

(5) Authorised officers shall at all times have free access to all parts of establishments or premises in order to ensure that these Regulations are being complied with and, where there is doubt as to the origin of the fresh poultry meat, to accounting documents which enable the slaughterhouse or holding of origin of the raw material to be traced.

(6) Inspection and supervision of establishments shall be carried out by the official veterinarian who, in accordance with Article 8 (2) of Annex B to the Council Directive, may be accompanied by an auxiliary. The official veterinarian shall at all times have free access to all parts of the establishment in order to ensure that the terms of these Regulations and the Council Directive are being complied with.

(7) An authorised officer may—

(a) make such examinations, tests and inspections at all stages of production and on any fresh poultry meat or products, and

(b) take such reasonable samples of any fresh poultry meat or product, which, he finds in the course of his inspection, and

(c) inspect, take or take copies of or extracts from any books, documents, or other records as he finds in the course of his inspection,

as he may consider appropriate for the purposes of these Regulations and the Council Directive.

(8) A person who is for the time being the owner or operator of an establishment approved by the Minister under these Regulations shall carry out all reasonable directions issued by an authorised officer or an official veterinarian for the purposes of these Regulations.

PART VIII

Certification

REG 17

Improper use of Health Marks, Certificates or Documents.

17. (1) A person shall not print or cause to be printed, order, import, purchase, sell, offer or expose for sale a certificate or any document purporting to be or in any way resembling a certificate save with the consent in writing of the Minister.

(2) A person shall not have in his possession or under his control a certificate or any document purporting to be or in any way resembling a certificate, unless he is—

(i) an authorised officer or an official veterinarian or an officer

of the Minister, or

(ii) a person who is in possession or control of the certificate or document with the consent in writing of the Minister, or

(iii) a person who is in possession or control of the certificate or document, in accordance with the provisions of these Regulations.

(3) A person shall not make or cause to have been made, order, import, purchase, sell, offer or expose for sale any instrument for affixing a health mark on fresh poultry meat in accordance with Regulation —, or any instrument for affixing a health mark in accordance with Regulation — on any certificate, document, wrapping, label, carton or other thing, save in accordance with these Regulations.

(4) A person shall not apply a health mark or a code or anything purporting to be a health mark or a code to a certificate or a commercial document except in accordance with these Regulations.

(5) A person shall not procure by fraud or by misrepresentation, forge, or without lawful authority or excuse, alter or tamper with, any document purporting to be a certificate or a commercial document or any other document purporting to be issued under these Regulations or for the purposes of the Council Directive nor utter any such certificate or document knowing it to be procured by fraud or by misrepresentation, forged, altered or tampered with.

(6) Nothing in paragraph (1) shall be construed as prohibiting the importation of a certificate where such importation is for the purpose only of complying with these Regulations.

PART IX

Miscellaneous Provisions

REG 18

Offences.

18. (1) Any person who contravenes a provision of these Regulations shall be guilty of an offence.

(2) An offence under these Regulations may be prosecuted by the Minister.

(3) If any person fraudulently—

(a) tampers or otherwise interferes with any fresh poultry meat so as to procure that any sample of it taken under these Regulations does not correctly represent the fresh poultry meat,

(b) tampers or otherwise interferes with any sample taken under these Regulations,

that person shall be guilty of an offence.

(4) Any person who obstructs or otherwise interferes with an authorised officer or an official veterinarian in the exercise of a power conferred on him by these Regulations shall be guilty of an offence.

(5) Where an offence under these Regulations is committed by a body corporate or by a person acting on behalf of a body corporate and

is proved to have been so committed with the consent, connivance or approval of, or to have been facilitated by any neglect on the part of, any director, manager, secretary or other official of such body, each such person shall be guilty of an offence.

REG 19

Penalties

19. A person guilty of an offence under these Regulations penalties shall be liable, on summary conviction, to a fine not exceeding £1,500 or, at the discretion of the court, to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment.

REG 20

Revocations.

20. The European Communities (Fresh Poultry meat) Regulations 1976 to 1988 (S.I. No. 317 of 1976, S.I. No. 109 of 1978, S.I. No. 274 of 1982 and S.I. No. 273 of 1988) are hereby revoked.

REG 21

Rider.

21. These Regulations are in addition to and not in substitution for:

(a) the Animal Remedies Act, 1993 (No. 23 of 1993) and Regulations made, continued in force or deemed to have been made thereunder;

(b) the European Communities (Avian Influenza) Regulations, 1994 (S.I. No. 172 of 1994) and the European Communities (Newcastle Disease) Regulations, 1994 (S.I. No. 226 of 1994).

SCHEDULE

CHAPTER I

GENERAL CONDITIONS FOR THE APPROVAL OF ESTABLISHMENTS

Establishments shall have at least the following facilities:

1. in rooms where fresh poultry meat is produced, worked on or stored and in areas and corridors through which fresh poultry meat is transported:

(a) waterproof flooring which is easy to clean and disinfect, rotproof and laid in such a way as to facilitate the draining of water; the water shall be channelled towards drains fitted with gratings and traps to prevent odours. However:

(i) in the case of rooms referred to in paragraph 14 (e) of Chapter II, paragraph 15 (a) of Chapter III and paragraph 16 (a)

of Chapter IV, channelling of water towards drains fitted with gratings and traps is not required and, in the case of premises referred to in paragraph 16 (a) of Chapter IV, a device with which water may easily be removed is sufficient,

(ii) in the case of rooms referred to in paragraph 17 (a) of Chapter IV which store only wrapped and packaged meat and in areas and corridors through which fresh poultry meat is transported, waterproof and rotproof flooring is sufficient;

(b) smooth, durable, impermeable walls, with a light-coloured, washable coating up to a height of at least two metres; in chilling or refrigeration rooms and in stores the walls shall be coated at least to storage height. Wall to floor junctions shall be rounded or similarly finished except in the rooms referred to in paragraph 17 (a) of Chapter IV.

However, the use of wooden walls in the rooms referred to in paragraph 17 of Chapter IV is acceptable provided they were built before 1 January 1994;

(c) door and window frames in hard-wearing, non-corrodible material and, if of wood, with a smooth and impermeable covering on all surfaces;

(d) insulation materials which are rotproof and odourless;

(e) adequate ventilation and good extraction of steam;

(f) adequate natural or artificial lighting which does not distort colours;

(g) a clean and easily cleaned ceiling; failing that, a roof covering with an interior surface which fulfils these conditions;

2. (a) as near as possible to the work stations, a sufficient number of facilities for cleaning and disinfecting hands and for cleaning tools with hot water. Taps shall not be hand-operable or arm-operable. For washing hands, these facilities shall have hot and cold running water or water premixed to a suitable temperature, cleaning and disinfecting products and hygienic means of drying hands;

(b) facilities for disinfecting tools, with hot water supplied at not less than 82°C;

3. appropriate arrangements for protection against pests such as insects and rodents;

4. (a) instruments and working equipment such as automatic equipment for working on poultry meat, cutting tables, tables with detachable cutting surfaces, containers, conveyor belts and saws, made of corrosion-resistant material not liable to taint poultry meat and easy to clean and disinfect. Surfaces coming into, or capable of coming into, contact with poultry meat, including welds and joins, shall be maintained smooth. The use of wood is forbidden except in rooms where the only fresh poultry meat stored is hygienically packaged fresh poultry meat;

(b) corrosion-resistant fittings and equipment meeting hygiene requirements for:

(i) poultry meat handling;

(ii) storing poultry meat containers, in such a way that neither the

poultry meat nor the containers come into direct contact floor or walls;

(c) facilities, including suitably laid out and equipped reception and marshalling areas, for the hygienic handling and protection of poultry meat during loading and unloading;

(d) special watertight non-corrodible containers, with lids and fasteners to prevent unauthorised persons from removing things from them, for keeping poultry meat not intended for human consumption, or a lockable room for such poultry meat if the quantities are large enough to necessitate this or if the poultry meat is not removed or destroyed at the end of each working day; where such poultry meat is removed through conduits, these shall be so constructed and installed as to avoid any risk of contamination of the fresh poultry meat;

(e) facilities for the hygienic storage of materials for wrapping and packaging where such activities are carried out in the establishment;

5. refrigeration equipment to keep the internal temperature of the poultry meat at the levels required by these Regulations. This equipment shall include a system for draining off water or condensation without any possibility of contamination of the fresh poultry meat;

6. a pressurised supply of potable water within the meaning of the European Communities (Quality of Water intended for Human Consumption) Regulations, 1988 (S.I. No. 81 of 1988) only. Non-potable water pipes shall be clearly distinguished from those used for potable water;

7. an adequate supply of hot potable water within the meaning of the European Communities (Quality of Water intended for Human Consumption) Regulations, 1988 (S.I. No. 81 of 1988);

8. a liquid and solid disposal system which meets hygiene requirements;

9. an adequately equipped lockable room for the exclusive use of the veterinary service, or suitable facilities in the case of stores referred to in Chapter IV or rewrapping centres;

10. facilities enabling the veterinary inspections provided for the Regulations and the Council Directive to be carried out efficiently at any time;

11. an adequate number of changing rooms with smooth, waterproof, washable walls and floors, wash basins, showers and flush lavatories so equipped as to protect the clean parts of the building from contamination.

Lavatories shall not open directly on to the work rooms. Showers are unnecessary in cold stores receiving and shipping hygienically wrapped fresh poultry meat only. Wash basins shall have hot and cold running water or water premixed to a suitable temperature, materials for cleaning and disinfecting the hands and hygienic means of drying hands. Wash basins taps shall not be hand-operable or arm-operable. There shall be a sufficient number of such wash basins near the lavatories;

12. a place and adequate facilities for cleaning and disinfecting means of transport for poultry meat except in the case of cold

stores receiving and shipping hygienically packed fresh poultry meat only. Slaughterhouses shall have a separate place and separate facilities for cleaning and disinfecting means of transport and crates used for poultry for slaughter. However, these places and facilities are not compulsory if provisions exist requiring that means of transport be cleaned and disinfected at officially authorised facilities;

13. a room or a secure place for the storage of detergents, disinfectants and similar substances.

CHAPTER II

SPECIAL CONDITIONS FOR THE APPROVAL OF SLAUGHTERHOUSES

14. In addition to the general requirements of Chapter I, poultry slaughterhouses shall have at least the following facilities:

- (a) a room or covered space which is sufficiently large and easy to clean and disinfect for the pre-slaughter inspection provided for in paragraph 28 of Chapter VI and to accommodate the birds;
- (b) a slaughter room large enough for stunning and bleeding on the one hand, and plucking and any scalding on the other, to be carried out in separate places. Any communication between the slaughter room and the room or space referred to in subparagraph (a) other than the narrow opening through which only slaughter poultry may pass shall have an automatically closing door;
- (c) an evisceration and preparation room which is large enough for evisceration to be carried out in a place sufficiently far from the other work stations, or separated from them by a partition, so as to prevent contamination. Any communication between the evisceration and preparation room and the slaughter room other than the narrow opening through which only slaughter poultry may pass shall have an automatically closing door;
- (d) if necessary, a dispatching room;
- (e) one or more sufficiently large chilling and refrigeration rooms, with a lockable facility, for fresh poultry meat which has been detained;
- (f) a room or space for collecting feathers unless these are treated as waste;
- (g) separate wash basins and lavatories for staff handling live birds.

CHAPTER III

SPECIAL CONDITIONS FOR THE APPROVAL OF CUTTING PLANTS

15. In addition to the general requirements of Chapter 1, cutting plants shall have at least the following facilities:

- (a) chilling or refrigerating rooms large enough for meat preservation;
- (b) (i) a room for cutting and boning and wrapping equipped

with a recording thermometer or recording telethermometer;
(ii) in so far as this operation is carried out in the cutting plant a room for the evisceration of poultry referred to in paragraph 49 of Chapter VIII;
(c) a room for packaging, where such operations are carried out in the cutting plant, unless the conditions provided for in paragraph 74 of Chapter XIV are fulfilled;

CHAPTER IV

SPECIAL CONDITIONS FOR THE APPROVAL OF COLD STORES

16. In addition to the general requirements of Chapter I, stores in which fresh poultry meat is stored in accordance with the first subparagraph in paragraph 69 of Chapter XIII shall have at least the following facilities:

- (a) sufficiently large chilling and refrigeration rooms, which are easy to clean and in which fresh poultry meat can be stored at the temperatures provided for under the first subparagraph of paragraph 69;
- (b) a recording thermometer or recording telethermometer in or for each storage area.

17. In addition to the general requirements, stores in which fresh poultry meat is stored in accordance with the second subparagraph of paragraph 69 of Chapter XIII shall have at least the following facilities:

- (a) sufficiently large chilling refrigerating rooms which are easy to clean and in which fresh poultry meat can be stored at the temperature provided for in the second indent of paragraph 69;
- (b) a recording thermometer or recording telethermometer in or for each storage area.

CHAPTER V

HYGIENE OF STAFF, PREMISES AND EQUIPMENT IN THE ESTABLISHMENTS

18. Absolute cleanliness shall be required of staff, premises and equipment—

- (a) staff handling exposed or wrapped fresh poultry meat or working in rooms and areas in which such poultry meat is handled, packaged or transported shall in particular wear clean and easily cleanable headgear, footwear and light-coloured working clothes or other protective clothing. Staff engaged in working on or handling fresh poultry meat shall wear clean working clothes at the commencement of each working day and shall renew such clothing during the day as necessary and shall wash and disinfect their hands several times during the working day and each time work is resumed. Persons who have been in contact with sick birds or infected poultry meat shall immediately afterwards carefully wash their hands and arms with hot water and then disinfect them. Smoking is

forbidden in workrooms and storerooms and in other areas and corridors through which fresh poultry meat is transported;

(b) no animal may enter the establishment except, in the case of slaughterhouses, animals for slaughter. Rodents, insects and other vermin shall be systematically destroyed;

(c) equipment and instruments used for handling live poultry and working on fresh poultry meat shall be kept clean and in a good state of repair. They shall be carefully cleaned and disinfected several times during the working day, at the end of the day's work and before being re-used when they have been soiled;

(d) crates for delivering poultry shall be made of non-corrodible material, be easy to clean and disinfect. They shall be cleaned and disinfected every time they are emptied.

19. Rooms, instruments and working equipment shall not be used for purposes other than work on fresh poultry meat or game meat authorised in accordance with the European Communities (Rabbit Meat and Farmed Game Meat) Regulations, 1995 (S.I. No. 278 of 1995) or the European Communities (Wild Game) Regulations, 1995 (S.I. No. 298 of 1995) or meat preparations or products unless they are cleaned or disinfected before re-use.

This restriction shall not apply to transport equipment used on the premises referred to in paragraph 17 (a) of Chapter IV when the poultry meat is packaged.

20. Poultry meat and containers thereof shall not come into direct contact with the floor.

21. Potable water shall be used for all purposes; however, non-potable water may be used for steam production, fire fighting, cooling refrigeration equipment and removing waste feathers in the slaughterhouse provided that the pipes installed for this purpose preclude the use of such water for other purposes and present no danger of contamination of fresh poultry meat. Non-potable water pipes shall be clearly distinguished from pipes used for potable water.

22. (a) Feathers and by-products of slaughter unfit for human consumption shall be taken away immediately.

(b) The spreading of sawdust or any other similar substance on the floor of the workroom and fresh poultry meat storage rooms is prohibited.

23. Detergents, disinfectants and similar substances shall be used in such a way that instruments, working equipment and fresh poultry meat are not adversely affected. Their use shall be followed by thorough rinsing of such instruments and working equipment with potable water.

24. Persons likely to contaminate poultry meat are prohibited from working on it and handling it.

When recruited, any person working on and handling fresh poultry meat shall be required to prove, by a medical certificate, that there is no impediment to such employment. The medical certificate shall be renewed every year, unless another staff medical check-up scheme can offer equivalent guarantees to the satisfaction of an authorised officer.

The owner or person in charge of an establishment shall ensure that

these medical certificates are available for inspection on request by an official veterinarian.

CHAPTER VI

PRE-SLAUGHTER HEALTH INSPECTION

25. (a) The official veterinarian of the slaughterhouse may authorise the slaughter of a consignment of poultry from a holding only, without prejudice to the European Communities (Live Poultry and Hatching Eggs) Regulations, 1992 (S.I. No. 362 of 1992) as amended by the European Communities (Live Poultry and Hatching Eggs) (Amendment) Regulations, 1995 (S.I. No. 45 of 1995) were:

- (i) the poultry intended for slaughter is accompanied by the health attestation provided for in Annex IV of the Council Directive; or
- (ii) 72 hours before the arrival of the poultry at the slaughterhouse he was in possession of a document containing:
 - (I) relevant up-to-date information regarding the flock of origin, in particular details taken from the holding's records referred to in paragraph 27 (a) covering the type of poultry to be slaughtered,
 - (II) proof that the holding of origin is under the supervision of an official veterinarian.

The information shall be assessed by the official veterinarian prior to deciding what measures are to be taken with respect to fowl coming from the holding concerned, particularly the type of pre-slaughter inspection.

(b) Where the conditions provided for in subparagraph (a) are not met, the official veterinarian of the slaughterhouse may either postpone slaughter or — where compliance with the welfare rules requires — authorise slaughter having first carried out the tests provided for under paragraph 27 (b), and shall have an authorised officer inspect the holding of origin of the fowl concerned with a view to obtaining this information. Any costs associated with the application of this paragraph shall be charged to the farmer.

(c) However, in the case of farmers with an annual production of not more than 20,000 domestic fowl, 15,000 ducks, 10,000 turkeys, 10,000 geese or an equivalent quantity of the other species of fowl referred to in point 1 of the second paragraph of Article 2 of Annex B to the Council Directive, the pre-slaughter inspection referred to in paragraph 27 may be carried out at the slaughterhouse. In that case the farmer shall provide a declaration to the effect that his annual production does not exceed the said figures.

(d) The farmer shall keep for a minimum of two years the records referred to in paragraph 27 (a) for submission to authorised officer on demand.

26. The owner or person in charge of the poultry shall facilitate the pre-slaughter inspection operations and in particular assist the official veterinarian in any handling deemed necessary.

The official veterinarian shall carry out the pre-slaughter inspection

in accordance with professional rules, in adequate lighting.

27. Pre-slaughter inspection on the farm of origin referred to in paragraph 25 shall comprise:

(a) checking of the farmers' records, which shall include at least the following, depending on the type of poultry:

- (i) day of arrival of the birds,
- (ii) source of the birds,
- (iii) number of birds,
- (iv) actual performance of the particular breeds (e.g. weight gain),
- (v) mortality,
- (vi) suppliers of feedingstuffs,
- (vii) type, period of use and withdrawal periods of feed additives,
- (viii) consumption of feedingstuffs and water,
- (ix) examination and diagnosis of the attending veterinary surgeon, together with any laboratory results,
- (x) type of any medicinal product, with dates of administration and withdrawal, given to the birds,
- (xi) date and type of any vaccines given,
- (xii) weight gain during the fattening period,
- (xiii) results of any previous official health inspections of birds from the same flock,
- (xiv) number of birds sent for slaughter,
- (xv) expected date of slaughter;

(b) the additional examination needed to establish a diagnosis where the birds—

(i) are suffering from a disease which can be transmitted to humans or to animals or are behaving, on an individual or collective basis, in such a way as to indicate that such a disease may occur;

(ii) show disturbance of general behaviour or signs of sickness which may make the poultry meat unfit for human consumption;

(c) regular sampling of water and feed with a view to checking compliance with withdrawal periods;

(d) the results of tests for zoonotic agents carried out in accordance with Council Directive 92/117/EEC(6) of 17 December 1992.

(6) O.J. No. L62 of 15.3.1993, p. 17.

28. At the slaughterhouse, the veterinarian shall ensure that the poultry is identified, check compliance with the Diseases of Animals (Protection of Animals during Transport) Order, 1995 (S.I. No. 98 of 1995) and in particular check whether the poultry has suffered injury during transport.

Moreover, in the event of doubt concerning the identity of a consignment of poultry and where the poultry shall undergo pre-slaughter health inspection at the slaughterhouse in accordance with paragraph 25 (c), the official veterinarian shall examine each crate if the poultry show the symptoms referred to in paragraph 27 (b).

29. Where the poultry has not been slaughtered within three days of its examination and the issue of the health attestation provided for in paragraph 25 (a) (i):

- (i) where the poultry has not left the holding of origin, a new health attestation shall be issued,
- (ii) or, after assessing the reasons for the delay, the official veterinarian of the slaughterhouse shall authorise slaughter if there is no health reason to prevent it, if need be following a further examination of the poultry.

30. Without prejudice to the requirements of Directive 91/494/EEC, slaughter for the purpose of human consumption shall be forbidden if clinical symptoms of the following diseases have been established:

- (a) ornithosis;
- (b) salmonellosis.

The official veterinarian may, at the request of the owner or person in charge of the poultry, authorise the slaughter at the end of the normal slaughter process provided precautions are taken by the owner or person in charge of the slaughterhouse to keep to a minimum the risk of spreading bacteria and to clean and disinfect the facilities after the slaughter, with the poultry meat resulting from the slaughter being handled as if it were meat declared unfit for human consumption.

31. The official veterinarian shall:

- (a) forbid slaughter where he has evidence that the poultry meat from the animals concerned would be unfit for human consumption;
- (b) postpone slaughter where the withdrawal period for residues has not been respected;
- (c) ensure, with regard to clinically healthy poultry from a flock slaughter of which is obligatory under a programme for the control of infectious disease, that the poultry is slaughtered at the end of the day or under conditions such that any contamination of other poultry is avoided.

32. The official veterinarian shall provisionally place the poultry affected by any slaughter prohibition in safekeeping.

CHAPTER VII

HYGIENE REQUIREMENTS FOR SLAUGHTER AND THE HANDLING OF FRESH POULTRY MEAT

33. Only live poultry may be brought into slaughter premises. As soon as they are brought into those premises the birds shall be slaughtered immediately after stunning, except in the case of slaughter according to religious rite.

34. Bleeding shall be completed and carried out in such a way that the blood cannot cause contamination outside the place of slaughter.

35. Slaughter poultry shall be plucked immediately and completely.

36. Evisceration shall be carried out immediately in the case of total evisceration or within the period laid down in paragraph 49 of Chapter VIII in the case of partial or deferred evisceration. Slaughtered poultry shall be opened in such a way that the cavities and all the relevant viscera can be inspected. For this purpose the viscera to be inspected may either be detached or left attached to the carcase by their natural connections. If detached, they shall be

identifiable as belonging to a given carcass.

37. After inspection, the viscera which have been removed shall be separated immediately from the carcass, and the parts unfit for human consumption removed at once.

Viscera or parts of viscera remaining in the carcass shall, with the exception of kidneys, be removed entirely if possible, under satisfactory hygiene conditions.

38. It is forbidden to clean poultry meat by wiping with a cloth or to fill the carcass with anything other than edible offal or neck offal from poultry slaughtered in the slaughterhouse.

39. It is forbidden to cut the carcass or remove or treat the poultry meat before the inspection has been completed. The official veterinarian may prescribe any other handling required by the inspection.

40. Detained poultry meat, on the one hand, and poultry meat declared unfit for human consumption in accordance with paragraph 53 of the Chapter IX or not allowed for human consumption in accordance with paragraph 54 of Chapter IX, on the other, and feathers and waste shall be removed as soon as possible to the rooms, facilities or containers provided for in paragraph 4 (d) of Chapter I and paragraph 14 (e) and (f) of Chapter II and shall be so handled that contamination is kept to a minimum.

41. After inspection and evisceration, fresh poultry meat shall be cleaned immediately and chilled in accordance with the hygiene requirements to ensure compliance with the temperature laid down in Chapter XIII as soon as possible.

42. Poultry meat to be subjected to an immersion chilling process in accordance with the process described in paragraph 43 shall, immediately after evisceration, be thoroughly washed by spraying and immersed without delay. The spraying shall be carried out by means of equipment which washes both the internal and external surfaces of the carcasses efficiently.

For carcasses weighing:

(i) not more than 2.5 kg, at least 1.5 litres of water shall be used per carcass,

(ii) between 2.5 kg and 5 kg, at least 2.5 litres of water shall be used per carcass,

(iii) 5 kg or more at least 3.5 litres of water shall be used per carcass.

43. The immersion chilling process shall meet the following requirements:

(a) the carcasses shall pass through one or more tanks of water or ice and water, the contents of which are continuously renewed.

Only the system whereby the carcasses are constantly propelled by mechanical means through a counterflow of water is acceptable;

(b) the temperature of the water in the tank or tanks measured at the points of entry and exit of the carcasses shall not be more than + 16°C and + 4°C respectively;

(c) it shall be carried out in such a way that the temperature specified in the first indent of paragraph 69 of Chapter XIII is

reached in the shortest possible time;

(d) the minimum flow of water throughout the whole chilling process referred to in subparagraph (a) shall be:

- (i) 2.5 litres per carcass weighing 2.5 kg or less,
- (ii) 4 litres per carcass weighing between 2.5 kg and 5 kg,
- (iii) 6 litres per carcass weighing 5 kg or more.

If there are several tanks, the inflow of fresh water and the outflow of used water in each tank shall be regulated in such a way as to progressively decrease in the direction of movement of the carcasses, the fresh water being divided between the tanks in such a way that the flow of water through the last tank is not less than:

- (I) 1 litre per carcass weighing 2.5 kg or less,
- (II) 1.5 litres per carcass weighing between 2.5 kg and 5 kg,
- (III) 2 litres per carcass weighing 5 kg or more.

The water used for first filling the tanks shall not be included in the calculation of these quantities;

(e) the carcasses shall not remain in the first part of the apparatus or the first tank for more than half an hour or in the rest of the apparatus or the other tank(s) for longer than is strictly necessary.

All necessary precautions shall be taken to ensure that, in the event of interruptions of the process, the transit time laid down in the first subparagraph is complied with.

Whenever the equipment stops, the official veterinarian shall satisfy himself prior to the re-setting in motion that the carcasses still meet the requirements of these Regulations and the Council Directive and are fit for human consumption or, if such is not the case, ensure that they are transported as soon as possible to the premises provided for in paragraph 4 (d) of Chapter I;

(f) each piece of equipment shall be entirely emptied, cleaned and disinfected whenever this is necessary at the end of the period of work and at least once a day;

(g) calibrated control equipment shall permit adequate and continued supervision of the measuring and recording of:

- (i) the water consumption during spray-washing before immersion,
- (ii) the temperature of the water in the tank or tanks at the points of entry and exit of the carcasses,
- (iii) the water consumption during the immersion,
- (iv) the number of carcasses in each of the weight-ranges listed in subparagraph (d) and in paragraph 42;

(h) the results of the various checks carried out by the producer shall be kept for at least one year and be submitted on request by the official veterinarian.

44. Until the inspection has been completed, it shall not be possible for carcasses and offal not inspected to come into contact with carcasses and offal already inspected, and the removal, cutting or further treatment of the carcass is forbidden.

45. It shall not be possible for poultry meat detained or declared unfit for human consumption or inedible by products to come into

contact with meat declared fit for human consumption, and the former shall be placed as soon as possible in special rooms or containers located and laid out in such a way as to avoid any contamination of other fresh poultry meat.

46. The drawing and trussing, handling, further treatment and transport of poultry meat, including offal, shall be performed meeting all hygiene requirements. Where such poultry meat is packaged, the conditions laid down in paragraph 14 (d) of Chapter II and in Chapter XIV shall be complied with. Packaged or wrapped poultry meat shall be stored in a separate room from exposed fresh poultry meat.

CHAPTER VIII

POST MORTEM HEALTH INSPECTION

47. The poultry shall be inspected immediately after slaughter under suitable lighting.

As part of this inspection:

(a) the following parts

(i) the surface of the bird's body, excluding head and feet save where these are intended for human consumption,

(ii) the viscera, and

(iii) the body cavities,

shall be subjected to visual inspection and, where necessary, palpation and incision;

(b) attention shall also be paid to:

(i) anomalies of consistency, colour and smell, in the carcasses;

(ii) major anomalies resulting from slaughtering operations;

(iii) proper functioning of the slaughter equipment.

The official veterinarian shall in any event:

(I) subject to a detailed inspection a random sample of the birds rejected in the post mortem health inspection, the poultry meat of which was declared unfit for human consumption in accordance with paragraph 53 of Chapter IX;

(II) examine a random sample of 300 birds taken from the entire consignment which has undergone the post mortem inspection, for an inspection of the viscera and the body cavities;

(III) carry out a special post mortem inspection of the poultry meat if there are other indications that the meat from the poultry could be unfit for human consumption.

The owner or person in charge of the poultry shall co-operate to the extent required in carrying out the post mortem inspection. He shall make the poultry and poultry meat available in a condition suitable for inspection. He shall provide adequate additional assistance at the request of the official veterinarian. If the owner or person in charge of the poultry does not fulfil his co-operation obligations, the inspection shall be suspended until he co-operates to the extent required for the inspection.

48. In the case of partly eviscerated poultry ('effile') whose intestines were removed immediately, the viscera and the body

cavities of at least 5 per cent of the slaughtered poultry from each consignment shall be inspected after evisceration. If during such inspection anomalies are discovered in a number of birds, then all the birds in the consignment shall be inspected in accordance with paragraph 47.

49. In the case of New York dressed or delayed evisceration poultry and the fresh poultry meat derived therefrom;

(a) the post mortem health inspection in accordance with paragraph 47 shall take place at the latest 15 days after slaughter, during which period it shall be stored at a temperature not exceeding +4°C;

(b) at the end of this period at the latest, it shall be eviscerated in the slaughterhouse where the slaughtering was performed or in another approved cutting plant fulfilling the additional requirements under (ii) in the second indent of paragraph 15 (b) of Chapter II and in this last case, be accompanied by the health attestation shown in Annex V of the Council Directive;

(c) the poultry meat shall not bear the health mark referred to in Chapter XII before the evisceration referred to in subparagraph (b) has been performed.

50. The taking of samples to examine for residues shall be carried out by spot checks and in any case in the event where the official veterinarian considers it to be justifiable. In the case of examination for residues by sampling, examination shall be carried out for the residues to in Group A III and Group B I (a) and (c) and II (a) of Annex I to Directive 86/469/EEC(7) as amended by Decision 89/187/EEC(8).

(7)O.J. No. L275 of 26.9.1986, p. 36.

(8) O.J. No. L66 of 10.3.1989, p. 37.

The obligation to examine for residues of substances with pharmacological action referred to in the second subparagraph of Article 4 (1) of Annex B to the Council Directive shall not apply to poultry from holdings under official veterinary control where examinations for those residues is carried out on the holdings of origin.

51. Where a disease is suspected on the basis of the pre-slaughter or post mortem inspection, the official veterinarian may ask for the requisite laboratory tests to be carried out if he considers them necessary to substantiate his diagnosis or to detect substances with pharmacological action likely to be present given the pathological condition observed.

In the event of doubt, the official veterinarian may perform the further cuts and inspections of the relevant parts of the poultry necessary in order to reach a definitive diagnosis.

Where the official veterinarian finds that the hygiene rules laid down in these Regulations and the Council Directive are clearly being breached or that adequate health inspection is being hampered, he shall be empowered to take action with regard to the use of equipment or premises and to take any measure required, up to and including a reduction in the rate of production or interruption of

the production process.

52. The results of the pre-slaughter and post mortem inspections shall be recorded by the official veterinarian and, where transmissible diseases are diagnosed, communicated to the owner or person in charge of the holding of origin, who shall take account of and keep such information and submit it to the official veterinarian carrying out the ante mortem inspection during the subsequent production period.

CHAPTER IX

DECISION OF THE OFFICIAL VETERINARIAN AT THE POST MORTEM INSPECTION

53. (a) Poultry meat shall be declared totally unfit for human consumption where the post mortem inspection reveals any of the following:

- (i) generalised infectious disease and chronic localisation in organs of pathogenic micro-organisms transmissible to humans,
- (ii) systematic mycosis and local lesions in organs suspected of having been caused by pathogenic agents transmissible to humans or their toxins,
- (iii) extensive subcutaneous or muscular parasitism and systematic parasitism,
- (iv) poisoning,
- (v) cachexia,
- (vi) abnormal smell, colour or taste,
- (vii) malignant or multiple tumours,
- (viii) general soiling or contamination,
- (ix) major lesions and ecchymosis,
- (x) extensive mechanical lesions, including those due to extensive scalding,
- (xi) insufficient bleeding,
- (xii) residues of substances exceeding the authorised standards or residues of prohibited substances,
- (xiii) ascites.

(b) Parts of a slaughtered animal which show localised lesions or contaminations not affecting the health of the rest of the poultry meat shall be declared unfit for human consumption.

54. The head separated from the carcass with the exception of the tongue, comb, wattles and caruncles and the following viscera, are excluded from use for human consumption: trachea, lungs separated from the carcass in accordance with paragraph 37 of Chapter VII, oesophagus, crop, intestine and gall bladder.

CHAPTER X

PROVISIONS CONCERNING POULTRY MEAT INTENDED FOR CUTTING

55. The carcase shall be cut up in parts and boned only in approved cutting rooms.

56. The owner or person in charge of the plant shall facilitate operations for supervising the plant, in particular any handling which is considered necessary, and shall place the necessary facilities at the disposal of the supervisory service. In particular, he shall be able on request to inform the official veterinarian responsible for supervision of the source of the poultry meat brought into his cutting plant and the origin of the animals slaughtered.

57. Without prejudice to paragraph 19 of Chapter V, poultry meat which does not fulfil the requirements of Regulation 7 (2) of these Regulations may not be placed in approved cutting plants unless placed in special storage areas; it shall be cut up in other places or at other times than poultry meat which does fulfil those requirements. The official veterinarian shall at all times have access to all storage rooms and work rooms in order to satisfy himself that the preceding provisions are rigorously observed,

58. Fresh poultry meat intended for cutting shall as soon as it is brought in be placed in the cutting room and, until it is cut up, in the room provided for in paragraph 15 (a) of Chapter III.

However, notwithstanding paragraph 41 of Chapter VII, poultry meat may be transported directly from the slaughter room to the cutting room.

In such cases the slaughter room and the cutting room shall be sufficiently near to each other and located in the same group of buildings, since the poultry meat to be cut shall be transferred in one operation from one room to the other by means of an extension of the mechanical handling system from the slaughter room, and cutting shall be carried out immediately. As soon as the prescribed cutting and packaging are completed, the poultry meat shall be transported to the chilling room provided for in paragraph 15 (a) of Chapter III.

59. Poultry meat shall be brought into the rooms referred to in paragraph 15 (b) of Chapter III as required. As soon as cutting and, where appropriate, packaging are completed, the poultry meat shall be transported to the chilling room provided for in paragraph 15 (a) of Chapter III.

60. Except in the case of poultry meat cut while warm, cutting may only take place if the poultry meat has reached a temperature not exceeding + 4°C.

61. Cleaning of fresh poultry meat by wiping with a cloth is prohibited.

62. Cutting shall be carried out in such a way as to avoid any soiling of the meat. Splinters of bones and clots of blood shall be removed. Poultry meat obtained from cutting and not intended for human consumption shall be collected in the containers or rooms

referred to in paragraph 4 (d) of Chapter I as it is cut.

CHAPTER XI

HEALTH CONTROL OF CUT POULTRY MEAT AND STORED POULTRY MEAT

63. Approved cutting plants, approved rewrapping centres and approved cold stores are to be supervised in accordance with Article 8 of Annex B to the Council Directive.

64. The supervision provided for in paragraph 63 may include the following tasks:

- (i) supervision of the entry and exit of fresh poultry meat,
- (ii) health inspection of fresh poultry meat held in the establishment,
- (iii) supervision of the cleanliness of the premises, facilities and instruments provided for in Chapter V, and of staff hygiene, including their clothing,
- (iv) any other supervision which the official veterinarian considers necessary for ensuring compliance with these Regulations and the Council Directive.

CHAPTER XII

HEALTH MARKING

65. Health marking shall be carried out under the responsibility of the official veterinarian. For this purpose, he shall supervise:

- (a) the health marking of poultry meat;
- (b) the labels and wrapping material when marked as provided for in this Chapter.

66. The EEC health mark shall include:

- (a) for fresh poultry meat wrapped in individual units for small packages,

- (i) on the upper part, the initials "IRL" in capitals;
- (ii) in the centre, the veterinary approval number of the establishment;

- (iii) on the lower part, the initials "EEC".

The letters and figures shall be 0.2 centimetres high;

- (b) for large packages, an oval mark at least 6.5 cm wide by 4.5 cm high, including the information listed under subparagraph (a).

The letters shall be at least 0.8 cm high and the figures at least 1 cm high. The material used for marking shall meet all hygiene requirements and the information referred to in subparagraph

(a) shall appear on it in perfectly legible form.

67. (a) The health marking referred to in paragraph 66 (a) shall be made;

(i) on or visibly beneath wrappers or other packaging of individually packaged carcasses,

(ii) on non-individually wrapped carcasses by apposition of a seal or label, which may be used only once,

(iii) on or visibly beneath wrappers or other packaging of parts of carcasses or offal wrapped in small quantities.

(b) The health marking referred to in paragraph 66 (b) shall be made on large packages containing carcasses, parts of carcasses or offal marked in accordance with subparagraph (a).

(c) Where a health marking appears on the wrapper or packaging:

(i) it shall be applied in such a way that it is destroyed when the wrapper or packaging is opened, or

(ii) the wrapper or packaging shall be sealed in such a way that it cannot be re-used after opening.

68. The health marking of carcasses, parts of carcasses or offal as provided for in paragraph 67 (a) shall not be necessary in the following cases:

1. Consignments of carcasses, including those which have had parts removed pursuant to paragraph 53 (b) of Chapter IX, shall be dispatched from an approved slaughterhouse to approved cutting premises for cutting therein subject to the following conditions:

(a) the large packaging containing the fresh poultry meat should bear, on the external surface, the health mark in accordance with paragraph 67 (a) (iii) and with paragraph 67 (c);

(b) the dispatch office shall maintain a record of the amount, type and destination of consignments dispatched in accordance with these Regulations and the Council Directive;

(c) the recipient cutting premises shall maintain a record of the amount, type and origin of consignments received in accordance with these Regulations and the Council Directive;

(d) the health mark on the large packaging shall be destroyed when the large packaging is opened in the cutting premises under the supervision of the official veterinarian;

(e) the destination and intended use of the consignment shall be clearly indicated on the external surface of the large packaging in accordance with this paragraph and with Annex VII of the Council Directive.

2. Consignments of carcasses, including those which have had parts removed pursuant to paragraph 53 (b) of Chapter IX, parts of carcasses and the following offal: hearts, livers and gizzards, shall be dispatched from an approved slaughterhouse, cutting premises or rewrapping centre to a meat and meat product establishment for treatment subject to the following conditions:

(a) the large packaging containing the fresh poultry meat shall bear, on the external surface, the health mark in accordance with paragraph 67 (a) (iii) and with paragraph 67 (c);

(b) the dispatch office shall maintain a record of the amount,

type and destination of consignments dispatched in accordance with these Regulations and the Council Directive;

(c) the recipient meat and meat product establishment shall maintain a record of the amount, type and origin of consignments received in accordance with these Regulations and the Council Directive;

(d) when the fresh poultry meat is intended for use in meat products for intra-Community trade, the health mark of the large packaging shall be destroyed when the large packaging is opened in an approved establishment;

(e) the destination and intended use of the consignment shall be clearly indicated on the external surface of the large packaging in accordance with this paragraph and with Annex VII of the Council Directive.

3. Consignments of carcasses, including those which have had parts removed pursuant to paragraph 53 (b) of Chapter IX shall be dispatched from an approved slaughterhouse, rewrapping centre or cutting premises to restaurants, canteens and institutions for direct supply to the final user after heat treatment, subject to the following conditions:

(a) the packaging containing the fresh poultry meat shall bear, on the external surface, the health mark in accordance with paragraph 67 (a) (iii) and with paragraph 67 (c);

(b) the dispatch office shall maintain a record of the amount, type and destination of consignments dispatched in accordance with these Regulations and the Council Directive;

(c) the recipient outlet shall maintain a record of the amount, type and origin of consignments received in accordance with these Regulations and the Council Directive;

(d) only outlets subject to the control of officials of the Minister for Health may be used and such officials shall be given access to the records kept;

(e) the destination and intended use of the consignment shall be clearly indicated on the external surface of the large packaging in accordance with this paragraph and with Annex VII of the Council Directive.

CHAPTER XIII

STORAGE

69. After the chilling provided for in paragraph 41 of Chapter VII, fresh poultry meat shall be kept at a temperature which may not at any time exceed + 4°C.

Frozen poultry meat shall be kept at a temperature which may not at any time exceed - 12°C.

Packaged fresh poultry meat shall not be stored in the same room as unpackaged fresh meat.

CHAPTER XIV

WRAPPING AND PACKAGING OF FRESH POULTRY MEAT

70. (a) Packaging (for example packing cases, paperboard boxes) shall fulfil all rules of hygiene, and in particular:

- (i) shall not alter the organoleptic characteristics of the meat;
- (ii) shall not be capable of transmitting to the poultry meat substances harmful to human health;
- (iii) shall be strong enough to ensure effective protection of the poultry meat during transportation and handling;

(b) packaging shall not be re-used for poultry meat unless it is made of corrosion-resistant materials which are easy to clean and has been previously cleaned and disinfected.

71. Where cut fresh poultry meat or offal is wrapped, this operation shall be carried out immediately after cutting and in accordance with hygiene requirements.

Wrapping shall be transparent and colourless or, at least in the case of coloured transparent wrapping, designed in such a way as to leave the wrapped poultry meat or offal partially visible. It shall also fulfil the conditions of the paragraph 70 (a) (i) and 70 (a) (ii); it may not be used again in wrapping meat.

Parts of poultry or offal separated from the carcass shall always be wrapped in a firmly sealed protective covering satisfying these criteria.

72. Wrapped poultry meat shall be packaged.

73. However, when wrapping fulfils all the protective conditions of packaging it need not be transparent and colourless and placing in a second container is not necessary provided that the other conditions of paragraph 70 are fulfilled.

74. Cutting, boning, wrapping and packaging operations may take place in the same room if the packaging is re-usable as described in paragraph 70 (b) or subject to the following conditions:

- (a) the room shall be sufficiently large and so arranged that the hygiene of the operations is assured;
- (b) the packaging and wrapping shall be enclosed in a sealed protective cover immediately after manufacture; this cover shall be protected from damage during transport to the establishment and stored under hygienic conditions in a separate room in the establishment;
- (c) the rooms for storing packaging material shall be dust and vermin-free and have no air connection with rooms containing substances which might contaminate fresh poultry meat. Packaging shall not be stored on the floor;
- (d) packaging shall be assembled under hygienic conditions before being brought into the room;
- (e) packaging shall be hygienically brought into the room and used without delay. It shall not be handled by staff handling fresh poultry meat;
- (f) immediately after packaging the poultry meat shall be placed in the storage room provided.

75. The packaging referred to in this Chapter may contain only cut fresh poultry meat.

CHAPTER XV

TRANSPORT

76. Fresh poultry meat shall be transported in means of transport provided with a hermetic closing system or, in the case of fresh meat imported in accordance with the European Communities (Importation of Animals and Animal Products from Third Countries) Regulations, 1994 (S.I. No. 255 of 1994) or fresh poultry meat transiting through the territory of a third country in sealed means of transport, designed and equipped in such a way that the temperatures specified in Chapter XIII are maintained throughout transportation.

77. Means of transport intended for transporting such poultry meat shall meet the following requirements:

(a) their inside surfaces shall be smooth and easy to clean and disinfect;

(b) they shall be provided with efficient devices for protecting the poultry meat against insects and dust and be watertight.

78. Means of transport intended for transporting poultry meat may in no case be used for transporting live animals or any products likely to affect or contaminate poultry meat.

79. No other product likely to affect the hygiene of the poultry meat or to contaminate it may be transported at the same time as the poultry meat in the same means of transport. Packaged poultry meat shall be transported in separate means of transport from unpackaged meat unless, within the same means of transport, an adequate physical separation is provided so as to protect unpackaged poultry meat.

80. Fresh poultry meat may not be transported in a vehicle or container which is not clean and has not been disinfected or which is used for the transport of livestock including live poultry or any other animal or bird or any other thing which may interfere with the hygiene requirements laid down for poultry meat in these Regulations.

81. The owner or person in charge of the plant shall ensure that transport vehicles and loading conditions are such as to enable the hygiene requirements of this Chapter to be met. An official veterinarian or authorised officer or an auxiliary shall check that this provision is complied with.

GIVEN under my Official Seal, this 3rd day of January, 1996.

IVAN YATES,

Minister for Agriculture, Food and Forestry.

EXPLANATORY NOTE.

The purpose of these Regulations is to implement Council Directive No. 71/118/EEC as amended and updated by Council Directive No. 92/116/EEC of 17 December, 1992.

These Regulations lay down the health rules for the production and placing on the market of fresh poultry meat intended for human consumption. They require premises to comply with set standards of structural and hygienic operation. The Regulations also provide for the health marking of all fresh poultry meat produced in approved establishments and the veterinary supervision of such establishments.