

Statutory Instrument 1997 No. 2965

The Specified Risk Material Regulations 1997

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STATUTORY INSTRUMENTS

1997 No. 2965

FOOD

The Specified Risk Material Regulations 1997

<i>Made</i>	<i>16th December 1997</i>
<i>Laid before Parliament</i>	<i>16th December 1997</i>
<i>Coming into force</i>	
<i>Regulations 1, 2, 3, 4, 6, 15(7) and 24(2) and Schedule 1</i>	<i>17th December 1997</i>
<i>The remaining provisions</i>	<i>1st January 1998</i>

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The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly, in relation to England and Wales, and the Secretary of State for Scotland in relation to Scotland, in exercise of the powers conferred on them by sections 6(4), 16(1)(a), (b), (c), (d) and (f), (2)(a) and (3), 17(1), 19(1)(a), 26 and 48(1) of, and paragraphs 2(1), 3(1), 5 and 6(1)(a) of Schedule 1 to, the Food Safety Act 1990[1], and of all other powers enabling them in that behalf, after consultation in accordance with section 48(4) of that Act with such organisations as appear to them to be representative of interests likely to be substantially affected by the Regulations, hereby make the following Regulations: -

PART I

PRELIMINARY

Title and commencement

1. - (1) These Regulations may be cited as the Specified Risk Material Regulations 1997.

(2) Regulations 1, 2, 3, 4, 6, 15(7) and 24(2) of and Schedule 1 to these Regulations shall come into force on 17th December 1997 and the remaining provisions of the Regulations shall come into force on 1st January 1998.

Interpretation

2. - (1) In these Regulations, unless the context otherwise requires -

"approved" means approved by the Minister;

"authorised", in relation to a slaughterhouse or cutting premises, means authorised under regulation 15 below;

"class I specified risk material" means -

- (a) class I specified sheep or goat material; and**
- (b) class I specified bovine material;**

but does not include material derived from animals which -

- (i) where slaughtered or died outside the United Kingdom before 1st January 1998; or**
- (ii) were born, reared and slaughtered in Australia or New Zealand;**

"class II specified risk material" means -

- (a) class II specified sheep or goat material;**
- (b) class II specified bovine material;**
- (c) any part of the animal remaining attached to class I or II specified bovine material or class I or II specified sheep or goat material after dissection of the carcase; and**
- (d) any animal material which comes into contact with class I or II specified bovine material or class I or II specified sheep or goat material after it has been removed from the carcase;**

"consignment record" means in relation to any consignment of specified risk material, protein or tallow, a record of -

- (a) the date on which the consignment was dispatched or received (as the case may be);**
- (b) the weight of the consignment; and**
- (c) the person and place to whom the consignment was dispatched or from whom it was received;**

"cutting premises" has the meaning given in the Fresh Meat (Hygiene and Inspection) Regulations 1995[2];

"inspector" means a person designated as such in accordance with regulation 8(2) of the Fresh Meat (Hygiene and Inspection) Regulations 1995;

"intestines" means that part of the digestive tract of a bovine animal from the junction of the abomasum and the duodenum to (and including) the rectum and anal sphincter;

"licensed", in relation to cutting premises or a slaughterhouse, means licensed under the Fresh Meat (Hygiene and Inspection) Regulations 1995;

"official veterinary surgeon" means a person designated as such in accordance with regulation 8(1) of the Fresh Meat (Hygiene and Inspection) Regulations 1995;

"ruminant animal" means a bovine animal, a sheep or a goat;

"scheme animal" means a bovine animal -

(a) which has been slaughtered pursuant to the purchase scheme introduced under Commission Regulation (EC) No. 716/96[3] adopting exceptional support measures for the beef market in the United Kingdom; or

(b) which, being an animal which has been exposed to bovine spongiform encephalopathy, the Minister has caused to be slaughtered under section 32(1) of the Animal Health Act 1981[4];

"sealed vehicle" means a vehicle sealed in accordance with regulation 18 below;

"specified bovine material" has the meaning given in regulation 4 below;

"specified risk material" means -

(a) class I and class II specified bovine material;

(b) class I and class II specified sheep or goat material; and

(c) specified solid waste;

"specified sheep or goat material" has the meaning given in regulation 3 below;

"specified solid waste" means any solid matter resulting from the slaughter of bovine animals, sheep or goats, or from the subsequent processing of their carcasses, which is collected in any part of the drainage system draining any place where specified bovine material or specified sheep or goat material is handled;

"stained blue" has the meaning given in regulation 5(1) below;

"stained yellow" has the meaning given in regulation 5(2) below;

"tallow" means fat derived from animal tissues by a process of rendering;

"vertebral column" means the whole or any part thereof and includes the sacrum but does not include the coccygeal vertebrae; and

"young lamb stamp" means the stamp described in regulation 16(2) below.

(2) In these Regulations the expression "mechanical means" does not include the use of hand held powered knives which do not use powered pressure or suction.

(3) The provisions of these Regulations shall apply to specified bovine material from scheme animals, save that the provisions appearing in column 1 of the Table in Schedule 2 to these Regulations shall apply only to the extent, and subject to the modifications, specified in Column 2.

Specified sheep or goat material

3. - (1) In these Regulations "class I specified sheep or goat material" means -

(a) in relation to material derived from a sheep or goat which at the time it was slaughtered or died either had one or more permanent incisor teeth erupted through the gum or was aged more than 12 months -

- (i) the skull, including the brain and eyes;**
- (ii) the tonsils; and**
- (iii) the spinal cord; and**

(b) the spleen of a sheep or goat.

(2) In these Regulations "class II specified sheep or goat material" means the head of any sheep or goat which was slaughtered or has died in the United Kingdom except -

- (a) any part of it which is class I specified sheep or goat material;**
- (b) the horns, where they are removed from the head -**

- (i) immediately after slaughter;**
- (ii) before the head is removed from the carcase; and**
- (iii) without breaking into the cranial cavity; and**

(c) the tongue, where it is removed from the head immediately after slaughter and before the head is stained.

(3) Whole carcases of sheep and goats are class II specified sheep or goat material if they are removed to be rendered whole from the place where they were slaughtered or died.

Specified bovine material

4. - (1) In these Regulations, "class I specified bovine material" in relation to a bovine animal means -

- (a) the skull, including the brain and eyes, tonsils and spinal cord, of an animal which was slaughtered or has died outside the UK at an age greater than 12 months; and**
- (b) the brains, spinal cord, thymus, tonsils, spleen and intestines of an animal which was slaughtered or has died in the UK at an age greater than six months, and also the skull (including the eyes) of such an animal which was aged more than twelve months at the time of death.**

(2) In these Regulations "class II specified bovine material" in relation to a bovine animal means -

- (a) the head of an animal which was slaughtered or has died in the United Kingdom at an age of six months or over, except -**
 - (i) any part of the head which is class I specified bovine material; and**

(ii) the tongue, where it is removed from the head immediately after slaughter and before the head is stained; and

(b) the thymus and intestines of an animal which -

(i) died or was slaughtered in the United Kingdom at an age of two months or over but less than six months; or

(ii) was slaughtered in the United Kingdom at an age of less than two months for human consumption.

(3) A whole carcase of a bovine animal which was slaughtered or has died in the United Kingdom shall not be treated for the purposes of these Regulations as class I or class II specified bovine material.

Staining

5. - (1) In these Regulations "stained blue" means being treated (whether by immersion, spraying or other application) with a 0.5% weight/volume solution of the colouring agent Patent Blue V (E131, 1971 Colour Index No. 42051)[5] in such a way that the colouring is clearly visible -

(a) (in the case of specified risk material other than the head of a sheep or goat) over the whole surface of the material; and

(b) (in the case of the head of a sheep or goat) over the whole of the cut surface and majority of the head;

except that, if the tongue is to be removed, this shall be done immediately after slaughter and the head shall be stained immediately after the removal of the tongue.

(2) In these Regulations "stained yellow" means being treated (whether by immersion, spraying or other application) with a 0.5% weight/volume solution of the colouring agent Tartrazine (E102, Colour Index No. 19140) in such a way that the colouring is clearly visible over the whole surface of the material.

(3) The requirement in regulations 10 and 11 below to stain specified risk material shall not apply -

(a) if the specified risk material is to be sent to a veterinary or medical school, laboratory, hospital or similar institution for instructional, diagnostic or research purposes;

(b) to specified risk material which is intended to be used at premises approved under article 10 of the Specified Risk Material Order 1997[6];

(c) to specified solid waste;

(d) in the case of specified risk material intended for an examination referred to in regulation 10(6) or 11(3) below, until after the completion of the examination; or

(e) where a post-mortem examination is carried out by a veterinary surgeon or a veterinary practitioner at a farm (as mentioned in regulation 11(4) below), provided that he makes arrangements for the disposal of the whole of the

carcase by burial there.

Approvals, authorisations and registrations

6. - (1) The Minister may, on application, approve, authorise or register any premises for the purpose of these Regulations if he is satisfied that such premises -

(a) are properly equipped to carry out the functions to which the approval, authorisation or registration relates; and

(b) comply with the requirements of these Regulations.

(2) Any approval, authorisation or registration granted or made under these Regulations (including a consent given under regulation 24(7) below) shall be in writing and may be made subject to conditions.

(3) Any such approval, authorisation or registration may be amended, suspended or revoked at any time by notice in writing served on the person to whom the approval, authorisation or registration was granted or, if that person is no longer the occupier of the premises to which the approval, authorisation or registration relates, on the occupier of those premises, if the Minister is satisfied that any provisions of these Regulations in relation to the premises or any conditions in the approval, authorisation or registration, are not being complied with.

PART II

RESTRICTIONS OF THE USE OF SPECIFIED RISK MATERIAL AND VERTEBRAL COLUMNS OF RUMINANT ANIMALS

Specified risk material for human consumption

7. - (1) No person shall sell any specified risk material, or any food containing specified risk material, for human consumption.

(2) No person shall use any specified risk material in the preparation of food for sale for human consumption.

(3) No person shall sell any specified risk material for use in the preparation of any food for sale for human consumption.

(4) For the purposes of this regulation "specified risk material" includes anything derived from it.

Prohibitions applying to the vertebral column

8. - (1) No person shall use the vertebral column of a ruminant animal in the recovery of meat by mechanical means.

(2) No person shall use, in the preparation of food for sale for human consumption, any meat which has been recovered by mechanical means from the vertebral column of a ruminant animal.

(3) No person shall use the vertebral column of a ruminant animal, which has died or has been slaughtered in the United Kingdom and from which meat has been cut, to produce food for sale for human consumption.

Registration of premises on which meat is recovered by mechanical means from

ruminant animals

9. - (1) No person shall on any premises recover meat by mechanical means from the carcase of a ruminant animal unless his name and the address of those premises are registered with the Minister.

(2) The Minister shall keep a register for the purposes of paragraph (1) above.

(3) An application for registration shall be in writing and in such form and manner as the Minister may require.

(4) The Minister shall refuse to register the name of any person in respect of any premises unless the following particulars are notified to him in writing -

- (a) the business name, if any;**
- (b) the name and address of the person who carries on the business;**
- (c) the address and telephone number of the business; and**
- (d) the address of each premises at which meat is recovered by mechanical means from ruminant animals in the course of the business.**

(5) Any person whose name is registered shall notify the Minister in writing of any change in the particulars previously notified to him within 14 days of any such change.

PART III

**REQUIREMENTS IN RELATION TO THE REMOVAL AND INITIAL
TREATMENT OF SPECIFIED RISK MATERIAL**

Initial treatment of bovine, sheep and goat carcasses in a slaughterhouse

10. - (1) When a bovine animal is slaughtered in a slaughterhouse, or slaughtered elsewhere than in a slaughterhouse but brought immediately to a slaughterhouse to be dressed for human consumption, the occupier of the slaughterhouse shall ensure that all specified bovine material is removed from the rest of the carcase as soon as is reasonably practicable after the animal was slaughtered and before the carcase is presented for inspection pursuant to paragraph (9) below.

(2) When a sheep or goat is slaughtered in a slaughterhouse, or slaughtered elsewhere than in a slaughterhouse but brought immediately to a slaughterhouse to be dressed for human consumption, the occupier of the slaughterhouse shall ensure that
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- (a) subject to regulation 15 below, all specified sheep or goat material is removed from the rest of the carcase at the slaughterhouse as soon as is reasonably practicable after the animal is slaughtered and before the carcase is presented for inspection pursuant to paragraph (9) below; or**
- (b) in the case of a sheep or goat with one or more permanent incisor teeth erupted, the head, spleen and tonsils are removed at the slaughterhouse as soon as is reasonably practicable after the animal is slaughtered and before the carcase is presented for inspection pursuant to paragraph (9) below, and the rest of the carcase is consigned to a slaughterhouse or cutting premises authorised pursuant to regulation 15(7) below.**

(3) Subject to the following provisions of this regulation and to regulation 15 below, the occupier shall ensure that the specified risk material which has been removed is stained blue immediately after removal from the carcase, and in any event before the carcase is frozen.

(4) Without prejudice to the storage requirements of regulation 28 below, the occupier shall ensure that the specified risk material does not come into contact with any other animal material while in the slaughterhouse and that it is disposed of in accordance with these Regulations.

(5) Material which is not specified bovine material may be separated from intestines which have been removed from the carcase before the intestines are stained.

(6) In the case of specified risk material which is intended to be examined by or on behalf of an inspector or a veterinary surgeon, the specified risk material shall not be stained until after the completion of the examination.

(7) In the case of scheme animals, the occupier shall ensure that, once the specified bovine material has been removed, the remainder of the carcase (excluding the hide), is immediately stained yellow.

(8) The occupier of any slaughterhouse where specified risk material is removed from carcases pursuant to this regulation shall arrange or establish in consultation with an official veterinary surgeon a staff training programme to train staff to comply with those requirements of these Regulations which they perform on those premises.

(9) The occupier of any slaughterhouse shall permit an inspector or official veterinary surgeon, or a person acting under the responsibility of either of them, to -

(a) inspect the carcase of any ruminant animal slaughtered there, so that he can check whether the requirements of these Regulations have been complied with; and

(b) mark each carcase which has been so checked and found to comply with the requirements of these Regulations,

and shall give to any such person such reasonable assistance as he may require.

Initial treatment of bovine, sheep and goat carcases elsewhere than in a slaughterhouse

11. - (1) Subject to the following provisions of this regulation, when specified risk material is removed from the carcase of a ruminant animal elsewhere than in a slaughterhouse, the occupier of the premises at which the specified risk material is removed shall ensure that it is removed as soon as is reasonably practicable after the death of the animal and that it is stained blue immediately, and in any event before the carcase is frozen.

(2) Without prejudice to the storage requirements of regulation 28 below, the occupier of those premises shall ensure that the specified risk material does not come into contact with any other animal material while on the premises and that it is disposed of in accordance with these Regulations.

(3) In the case of specified risk material which is intended to be examined by or on behalf of an officer of the Minister or a veterinary surgeon, the specified risk material shall not be stained until after the completion of the examination.

(4) The provisions of this regulation shall not apply in the case of a post-mortem examination carried out by a veterinary surgeon or a veterinary practitioner at a farm, provided that he makes arrangements for the disposal of the whole of the carcase by burial there.

Notes:

- [1] 1990 c.16; "the Ministers" is defined in section 4(1) of the Act. Section 6(4) was amended by section 31 of, and paragraph 6 of Schedule 9 to, the Deregulation and Contracting Out Act 1994 (c.40) and section 6(6) was added by section 76 of, and paragraph 16 of Schedule 16 to, that Act.[back](#)**
- [2] S.I. 1995/539; relevant amendment is S.I. 1995/3189.[back](#)**
- [3] OJ No. L99, 19.4.96, p.14, to which there are amendments not relevant to this Order.[back](#)**
- [4] 1981 c.22.[back](#)**
- [5] Colour Index is published by the Society of Dyers and Colourists at Perkin House, 82 Grattan Road, Bradford, West Yorkshire BD1 2JB.[back](#)**
- [6] S.I. 1997/2964.[back](#)**
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