

# Statutory Instrument 1997 No. 617

## The Specified Bovine Material Order 1997

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### STATUTORY INSTRUMENTS

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**1997 No. 617**

**ANIMALS**

**ANIMAL HEALTH**

The Specified Bovine Material Order 1997

*Made* *4th March 1997*

*Coming into force* *28th March 1997*

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The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 1 and 8(1) of the Animal Health Act 1981[1], as applied by the Zoonoses Order 1988[2], and the Minister of Agriculture, Fisheries and Food in exercise of the powers conferred on him by section 11 of that Act, and of all other powers enabling them in that behalf, hereby make the following Order:

#### **Title and commencement**

**1 . This Order may be cited as the Specified Bovine Material Order 1997 and shall come into force on 28th March 1997.**

#### **Interpretation**

**2 . - (1) In this Order, unless the context otherwise requires -**

**"approved" means approved by the appropriate Minister;**

**"enforcement authority" means the appropriate body specified in article 28 below;**

**"feeding stuff" has the meaning given to it by section 66(1) of the Agriculture Act 1970[3];**

**"food" has the same meaning as in the Food Safety Act 1990[4];**

**"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;**

**"scheme animal" means a bovine animal -**

**(a) which has been slaughtered pursuant to the purchase scheme introduced under Commission Regulation (EC) No. 716/96[5] 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;**

**"sell" includes have in possession for sale or offer or expose for sale;**

**"slaughterhouse" means any building, premises or place licensed for slaughtering animals the flesh of which is intended for sale for human consumption;**

**"specified bovine material" means -**

**(a) subject to (d) below, the head (including the brain but excluding the tongue), spinal cord, spleen, thymus, tonsils and intestines of a bovine animal six months old or over which has died in the United Kingdom or has been slaughtered there;**

**(b) the thymus and intestines of a bovine animal two months old or over but less than six months old which has died in the United Kingdom or has been slaughtered there;**

**(c) the thymus and intestines of a bovine animal under two months old which has been slaughtered in the United Kingdom for human consumption;**

**(d) subject to paragraph (4) below, the head (including the brain and the tongue), spinal cord, spleen, thymus, tonsils and intestines of a scheme animal; and**

**(e) specified solid waste,**

**and includes anything left attached to such material after dissection of the carcass and any animal matter which comes into contact with the material after it has been removed from the carcass, but does not include a whole carcass;**

**"specified solid waste" means any solid matter resulting from the slaughter of bovine animals, 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 is handled;**

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

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

**(2) For the purposes of this Order the supply of specified bovine material, food, feeding stuffs or cosmetic, pharmaceutical or medical products otherwise than by sale at, in or from any place where food, feeding stuffs or cosmetic, pharmaceutical or medical products are supplied in the course of a business, shall be deemed to be a sale.**

**(3) In this Order the expression "mechanical means" does not include the use of hand held powered knives which do not use powered pressure or suction.**

**(4) The provisions of this Order shall apply to specified bovine material from scheme animals, save that the provisions appearing in Column 1 of the Table in Schedule 2 to this Order shall apply only to the extent, and subject to the modifications, specified in Column 2.**

**(5) For the purposes of this Order, material shall be treated as food, a feeding stuff or a cosmetic, pharmaceutical or medical product whether it is used or intended for use as such by itself or as an ingredient or additive in something which is so used or intended for such use.**

#### **Approvals**

**3 . - (1) The appropriate Minister may, on application, approve any premises for the purpose of this Order if he is satisfied that such premises are properly equipped to carry out the functions to which the approval relates and comply with the requirements of this Order.**

**(2) Any approval granted under this Order (including a consent given under article 20(7) below and a licence granted under article 24 below) shall be in writing and may be made subject to conditions and be amended, suspended or revoked at any time by notice in writing served on the person to whom the approval was granted if the appropriate Minister is satisfied that the conditions of this Order, or any additional conditions in the approval, are not being complied with.**

#### **Specified bovine material for human consumption**

**4 . - (1) No person shall sell any specified bovine material, or any food containing specified bovine material, for human consumption.**

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

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

**(4) For the purposes of this article "specified bovine material" includes anything derived from it.**

#### **Specified bovine material for use in cosmetic, pharmaceutical and medical products**

**5 . - (1) No person shall sell any cosmetic, pharmaceutical or medical product containing specified bovine material.**

**(2) No person shall use any specified bovine material in the preparation or manufacture of any cosmetic, pharmaceutical or medical product.**

**(3) No person shall sell any specified bovine material for use in the preparation or manufacture of any cosmetic, pharmaceutical or medical product.**

**(4) For the purposes of this article, "specified bovine material" includes anything derived from it.**

#### **Prohibitions applying to the vertebral column**

**6 . - (1) No person shall use the vertebral column of a bovine 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 bovine animal.**

**(3) Without prejudice to regulation 3 of the Bovine Products (Production and Despatch) Regulations 1997[6], no person shall use the vertebral column of a bovine animal from which meat has been cut, to produce food other than fat or gelatin for sale for human consumption.**

#### **Registration of premises on which meat is recovered by mechanical means from bovine animals**

**7 . - (1) No person shall on any premises recover meat by mechanical means from the carcass of a bovine animal unless his name and the address of those premises are registered with the appropriate Minister.**

**(2) The appropriate 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 appropriate Minister may require.**

**(4) The appropriate 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 a bovine animal in the course of the business.**

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

#### **Specified bovine material for consumption by any creature**

**8 . - (1) No person shall sell any specified bovine material, or any feeding stuff containing specified bovine material, for feeding to any creature.**

**(2) No person shall use any specified bovine material in the preparation of any feeding stuff.**

**(3) No person shall sell any specified bovine material for use in the preparation of any feeding stuff.**

**(4) No person shall feed to any creature any specified bovine material or any feeding stuff containing specified bovine material.**

**(5) For the purposes of this article, "specified bovine material" includes -**

**(a) anything derived from it; and**

**(b) (notwithstanding the definition of specified bovine material in article 2(1) above), a whole carcase or any part of a bovine animal aged two months or over from which specified bovine material has not been removed in accordance with article 9 or 10 below.**

**(6) Paragraph (4) above shall not apply to the feeding to any creature of any specified bovine material or feeding stuff for research purposes in a research establishment under the authority of a licence issued by a veterinary inspector of the Minister and in accordance with any conditions subject to which the licence is issued, and paragraph (2) above shall not apply to the use of any specified bovine material in the preparation of any feeding stuff for such feeding.**

**(7) For the purposes of this article "creature" does not include a human being.**

#### **Initial treatment of bovine carcases in a slaughterhouse**

**9 . - (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.**

**(2) Subject to the following provisions of this article, the occupier shall ensure that the specified bovine material which has been removed (other than the head) is stained immediately, and in any event before it is frozen, by 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)[Z] in such way that the colouring is clearly visible over the whole surface of the material.**

**(3) The occupier shall ensure that the head is stained immediately after slaughter by 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) in such a way that the colouring is clearly visible over its whole surface; 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.**

**(4) The occupier shall ensure that the specified bovine material does not come into contact with any other animal material while in the slaughterhouse and that it is disposed of in accordance with this Order.**

**(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 bovine material which is intended to be examined by or on behalf of an officer of the appropriate Minister or a veterinary surgeon, the specified bovine material shall not be stained until after the completion of the examination.**

**(7) The requirement to stain specified bovine material shall not apply in the case of specified bovine material which is intended to be used at premises approved under article 21 below.**

**(8) 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 stained immediately 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.**

**(9) The occupier of any slaughterhouse where specified bovine material is removed from carcasses pursuant to this article shall arrange or establish in consultation with an official veterinary surgeon a staff training programme to train staff to comply with those requirements of this Order which they perform on those premises.**

**(10) 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 bovine animal slaughtered there, so that he can check whether the requirements of this Order have been complied with; and**

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

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

**(11) In this article, "official veterinary surgeon" means a veterinary surgeon designated under regulation 8 of the Fresh Meat (Hygiene and Inspection) Regulations 1995 num="f008">.**

**Initial treatment of specified bovine material elsewhere than in a slaughterhouse**  
**10 . - (1) Subject to the following provisions of this article, when specified bovine material is removed from the carcase of a bovine animal elsewhere than in a slaughterhouse, the occupier of the premises at which the specified bovine material is removed shall ensure that it is stained immediately, and in any event before it is frozen, by 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) in such a way that the colouring is clearly visible over the whole surface of the material.**

**(2) The occupier shall ensure that the specified bovine material does not come into contact with any other animal material while on the premises and that it is disposed of in accordance with this Order.**

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

**(4) The requirement to stain specified bovine material shall not apply in the case of specified bovine material which is intended to be used at premises approved under article 21 below.**

**(5) The provisions of this article 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.**

**Rendering whole carcasses**

**11 . Any person rendering a whole bovine carcase shall do so in accordance with article 20 below in the same way as if the carcase were specified bovine material.**

### **Exceptions from the requirement to stain specified bovine material**

**12 . The requirement in articles 9 and 10 above to stain specified bovine material shall not apply -**

- (a) if the specified bovine material is to be sent to a veterinary or medical school, laboratory, hospital or similar institution for instructional, diagnostic or research purposes; or**
- (b) to specified solid waste,**

**provided that it is stored separately from all other animal materials and is clearly identified as specified bovine material.**

### **Measures in relation to stained specified bovine material**

**13 . Where specified bovine material has been stained in accordance with article 9 or 10 above or 22(5)(b) below, the occupier of any premises at which material is stored or handled and, in the case of a place approved under articles 18 to 20 below, the operator of that place, shall take appropriate measures to ensure that colouring remains visible over the whole surface of the material until it is incinerated or rendered in accordance with article 19 or 20 below.**

### **Prohibition on the removal of the brain and eyes of a bovine animal**

**14 . No person shall remove the brain or eyes from the carcase of a bovine animal aged over six months except -**

- (a) for the purposes of veterinary or scientific examination or research; and**
- (b) in a part of the premises kept free at all times from food intended for human consumption, feeding stuffs and any cosmetic, pharmaceutical or medical product.**

### **Prohibition on the removal of the spinal cord of a bovine animal**

**15 . - (1) No person shall remove the spinal cord or any part of it from the vertebral column of a bovine animal aged six months or more, or longitudinally split the vertebral column of such an animal, except in a slaughterhouse or for the purposes of veterinary or scientific examination.**

**(2) If the spinal cord is removed in a slaughterhouse, it shall be disposed of as specified bovine material in accordance with this Order.**

**(3) If the spinal cord is removed at any premises other than a slaughterhouse for the purposes of veterinary or scientific examination, after that examination both the spinal cord and the vertebral column shall be disposed of as specified bovine material in accordance with this Order.**

### **Prohibition on bringing in specified bovine material from Northern Ireland**

**16 . - (1) No person shall bring any specified bovine material into Great Britain from Northern Ireland unless it has been stained in the same way as it would have been had it been obtained in Great Britain.**

**(2) Any person bringing specified bovine material into Great Britain from Northern Ireland shall immediately transport it to one of the destinations specified in article 17(1) below.**

### **Consignment of specified bovine material**

**17 . - (1) Once specified bovine material has been removed from the carcass and treated in accordance with this Order, or, in the case of specified solid waste, recovered from the drainage system, the person responsible for its removal or recovery shall, without unreasonable delay, send it directly to -**

- (a) an approved collection centre;**
- (b) an approved rendering plant;**
- (c) premises referred to in article 12(a) above;**
- (d) an approved incinerator; or**
- (e) premises approved under article 21 below.**

**(2) Any person consigning specified bovine material from the place where it was removed from the carcass or recovered from a drainage system shall keep a record for two years from the date of consignment of the weight consigned, the date it was consigned and the destination of the specified bovine material.**

### **Approved collection centres**

**18 . - (1) Any person delivering specified bovine material to an approved collection centre shall state in writing to the operator of the collection centre concerned the place from which that specified bovine material was collected for delivery to that collection centre.**

**(2) No person shall take delivery of specified bovine material at a collection centre, or operate a collection centre for specified bovine material, unless it has been approved and has sufficient facilities for storing and handling specified bovine material in a manner which keeps it separate from other animal material.**

**(3) The operator of an approved collection centre shall record on arrival of specified bovine material at the premises -**

- (a) the weight of the specified bovine material delivered;**
- (b) the date of delivery; and**
- (c) the place from which it was consigned,**

**and shall keep such records for two years from the date of arrival.**

**(4) The operator of an approved collection centre shall ensure that all specified bovine material in the collection centre is kept separate from all other animal material.**

**(5) No person shall remove specified bovine material from an approved collection centre except to an approved incinerator or an approved rendering plant.**

**(6) Any person who removes specified bovine material in accordance with paragraph (5) above shall keep a record for two years from the date of removal of -**

- (a) the weight of specified bovine material consigned to the incinerator or rendering plant (as the case may be);**

**(b) the date of such consignment; and**

**(c) the place to which it was consigned.**

#### **Approved incinerators**

**19 . - (1) Any person delivering specified bovine material to an approved incinerator shall state in writing to the operator of the incinerator concerned the place from which that specified bovine material was collected for delivery to that incinerator.**

**(2) No person shall operate an incinerator incinerating specified bovine material unless -**

**(a) the incinerator has been approved as having suitable facilities to incinerate specified bovine material in accordance with paragraph (4) below;**

**(b) he disposes of the ash in a way that does not pose a risk to human or animal health; and**

**(c) the incinerator is equipped with a refractory lining and is heated by fuel conveyed into the incinerator during incineration by mechanically forced draught.**

**(3) The operator of an approved incinerator shall record on arrival of specified bovine material at the premises -**

**(a) the weight of the specified bovine material delivered;**

**(b) the date of delivery; and**

**(c) the place from which it was consigned,**

**and shall keep such records for two years from the date of arrival.**

**(4) The operator of an approved incinerator shall incinerate all specified bovine material delivered to him to a standard specified in the approval and in such a way that all moisture is removed, the material is reduced to ash and the ash is disposed of in accordance with the terms of the approval.**

**(5) No person shall remove specified bovine material from an approved incinerator unless it has been completely incinerated.**

#### **Approved rendering plants**

**20 . - (1) Any person delivering specified bovine material to an approved rendering plant shall state in writing to the operator of the rendering plant concerned the place from which that specified bovine material was collected for delivery to that rendering plant.**

**(2) No person shall take delivery of specified bovine material at a rendering plant, or operate a rendering plant for specified bovine material, unless it has been approved as having the facilities specified in Part I of Schedule 1 to this Order sufficient to enable it to separate the specified bovine material into protein and tallow by one of the methods specified in Part II of that Schedule.**

**(3) The operator of an approved rendering plant shall record on arrival of specified**

**bovine material at the premises -**

- (a) the weight of the specified bovine material delivered;**
- (b) the date of delivery; and**
- (c) the place from which it was consigned,**

**and shall keep such records for two years from the date of arrival.**

**(4) The operator of an approved rendering plant shall ensure that all specified bovine material in the rendering plant is kept and stored separately from all other material, handled separately from other material and rendered separately from other material.**

**(5) The operator of an approved rendering plant shall ensure that specified bovine material is processed without undue delay and in any event within seven days of delivery using one of the methods described in Part II of Schedule 1 to this Order.**

**(6) The operator of an approved rendering plant shall ensure (except as provided by paragraph (7) below) that any equipment used for processing specified bovine material is used only for that purpose.**

**(7) Subject to paragraph (8) below, the appropriate Minister may, on application by the operator of an approved rendering plant, consent to the use for other purposes of equipment previously used for processing specified bovine material.**

**(8) No consent given pursuant to paragraph (7) above shall be effective until the appropriate Minister has indicated in writing that he is satisfied that the equipment concerned has been cleaned in accordance with any conditions specified in that consent.**

**(9) After the specified bovine material has been processed and separated into protein and tallow the operator of the plant shall ensure that -**

**(a) all protein is placed in a container labelled "specified bovine material" and disposed of -**

**(i) by burial at a landfill site for which there exists a current waste management licence granted under section 35 of the Environmental Protection Act 1990[8]; or**

**(ii) as specified in the approval; or**

**(iii) sent to an approved incinerator for incineration; and**

**(b) all tallow is placed in a container labelled "specified bovine material" and -**

**(i) disposed of by burial at a landfill site for which there exists a current waste management licence granted under section 35 of the Environmental Protection Act 1990;**

**(ii) sent to premises approved under article 21 below either for treatment by thermal hydrolysis at hyperbaric pressure or for use in such other process as is specified in the approval of those premises;**

(iii) disposed of as specified in the approval; or

(iv) sent to an approved incinerator for incineration.

**(10) Protein and tallow produced from animal material, other than specified bovine material, from scheme animals shall be disposed of by burning in a manner which has been licensed under the Environmental Protection Act 1990.**

**(11) The operator of an approved rendering plant shall keep a record for two years of the weight of protein consigned and a separate record of the weight of tallow consigned, and in each case the date of such consignment and the point of destination.**

**(12) The operator of an approved rendering plant shall ensure that all containers, receptacles and vehicles which have been used for the transport of specified bovine material are cleaned, washed and disinfected before they leave the premises.**

**(13) No person shall move from the unclean section of an approved rendering plant (as specified by the occupier in accordance with paragraph 3 of Part I of Schedule 1 to this Order) into the clean section without first changing his working clothes and footwear or disinfecting the latter.**

**(14) No person shall take equipment or utensils from the unclean section into the clean section of an approved rendering plant unless the equipment or utensils are first washed and disinfected.**

**(15) The operator of an approved rendering plant shall ensure that systematic measures are taken to control birds, rodents, insects and other vermin on the premises.**

**(16) The operator of an approved rendering plant shall ensure that the premises and equipment are kept in a good state of repair and that measuring equipment is calibrated at regular intervals.**

**Approved premises not producing food, feeding stuffs or cosmetic, pharmaceutical or medical products**

**21 . - (1) This article shall apply to premises approved as being suitable to process specified bovine material for use in a manufacturing process which is not producing any food or feeding stuff or any cosmetic, pharmaceutical or medical product or anything intended or likely to come into direct contact with any of them and does not pose a risk to human or animal health.**

**(2) The appropriate Minister shall approve premises for the purposes of paragraph (1) above where, following an inspection of those premises by a veterinary inspector, he is satisfied that the operator of those premises has in place a system for tracing through the manufacturing process all specified bovine material delivered to him sufficient to demonstrate -**

**(a) that all specified bovine material delivered is either used in the manufacturing process or disposed of in accordance with conditions specified in the approval; and**

**(b) that no product manufactured in the process is used as, in connection with or in the manufacture of any food or feeding stuff or any cosmetic, pharmaceutical or medical product.**

**(3) Any person delivering specified bovine material to premises approved under this article shall state in writing to the operator of the premises concerned the place from which that specified bovine material was collected for delivery to those premises.**

**(4) No person shall process specified bovine material at premises approved under this article except in accordance with the conditions of the approval.**

**(5) The operator of such approved premises shall record on arrival of specified bovine material at the premises -**

- (a) the weight of the specified bovine material delivered;**
- (b) the date of delivery; and**
- (c) the place from which it was consigned,**

**and shall keep such records for two years from the date of arrival.**

**Veterinary or laboratory premises, etc.**

**22 . - (1) No person shall transport specified bovine material to premises specified in article 12 above unless the specified bovine material is in a container marked with -**

- (a) the words "specified bovine material";**
- (b) its place of destination; and**
- (c) the name of the person to whom it is being sent.**

**(2) Any person delivering specified bovine material to such premises shall state in writing to the consignee the place from which the specified bovine material was collected for delivery.**

**(3) The consignee shall record on arrival of the specified bovine material at the premises -**

- (a) the weight of the specified bovine material delivered;**
- (b) the date of delivery; and**
- (c) the place from which it was consigned,**

**and shall keep such records for two years from the date of arrival.**

**(4) The consignee shall not dispose of or consign that material except to other premises specified in article 12 above or to premises specified in article 17 above, in which case he shall keep a record for two years from the date of consignment of the weight consigned, the date it was consigned and the destination of the specified bovine material.**

**(5) When the specified bovine material is no longer needed, the consignee shall -**

- (a) ensure that any residual specified bovine material is buried or effectively**

destroyed on the premises or is consigned to premises specified in article 17 above for destruction;

(b) ensure (where specified bovine material is consigned for destruction in accordance with sub-paragraph (a) above) that the residual specified bovine material is stained before consignment (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)[9] in such way that the colouring is clearly visible over the whole surface of the material; and

(c) keep a record for two years of the place and method of burial or destruction.

(6) For the purposes of this article, the "consignee" is the occupier of premises specified in article 12 above to which specified bovine material is delivered.

#### **Power to give directions**

23 . - (1) If the appropriate Minister is satisfied that specified bovine material cannot be disposed of under the provisions of this Order, whether for reasons of mechanical breakdown of equipment or otherwise, he may give written directions to the owner or person in control of the specified bovine material for its disposal in a safe manner.

(2) In the event of any person not complying with those directions, the appropriate Minister may make arrangements for the disposal of the specified bovine material at the expense of the owner.

(3) Any person failing to comply with any direction given under this Order shall be guilty of an offence under the Animal Health Act 1981[10].

#### **Consignment**

24 . No person shall consign from Great Britain to another member State specified bovine material, or protein or tallow derived from specified bovine material, except in accordance with a licence granted by the Minister.

#### **Samples**

25 . Where an inspector has reasonable grounds for supposing that the provisions of this Order are not being complied with, he may take from any carcase, part of a carcase, tallow, protein, material, food or feeding stuff, or from any cosmetic, pharmaceutical or medical product, such samples as he considers necessary to establish whether or not an offence has taken place.

#### **Transport**

26 . - (1) The person in control of a vehicle transporting specified bovine material shall ensure that it is conveyed either in an impervious container which contains nothing but specified bovine material or in a part of the vehicle which is impervious and contains nothing but specified bovine material and which in either case is kept covered at all times except when necessary for loading or unloading or examination by an authorised officer of an enforcement authority.

(2) Any person transporting specified bovine material shall ensure that the part of the vehicle in which specified bovine material has been conveyed is thoroughly washed and disinfected before any food, feeding stuff or other animal material or any cosmetic, pharmaceutical or medical product is subsequently placed in that part of the vehicle.

(3) In this article the expression "vehicle" means, in any case in which specified bovine material is conveyed in a bulk container, that container.

#### **Storage**

**27 . - (1) Subject to paragraph (2) below, no person shall store specified bovine material in the same room as any food or feeding stuff or any cosmetic, pharmaceutical or medical product.**

**(2) The requirement in paragraph (1) above shall not apply where an officer of the enforcement authority has approved the storage of specified bovine material in the same room as any food or feeding stuff or any cosmetic, pharmaceutical or medical product, on being satisfied that the arrangements for storage will ensure the adequate separation of the specified bovine material from the food, feeding stuff or product (as the case may be).**

**Enforcement**

**28 . - (1) This Order shall be enforced -**

**(a) in relation to premises licensed under the Fresh Meat (Hygiene and Inspection) Regulations 1995 by the appropriate Minister; and**

**(b) in any other case by the local authority.**

**Revocation and saving**

**29 . - (1) The Specified Bovine Material (No. 3) Order 1996[11], the Specified Bovine Material (No. 3) (Amendment) Order 1996[12] and the Specified Bovine Material (No. 3) (Amendment) (No. 2) Order 1996[13] are hereby revoked.**

**(2) Any approval granted or having effect as if granted under the Specified Bovine Material (No. 3) Order 1996 shall continue to operate as if granted under the equivalent provision of this Order.**

***Angela Browning***

**Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food**

**4th March 1997**

***Lindsay***

**Parliamentary Under Secretary of State, Scottish Office**

**4th March 1997**

**Signed by authority of the Secretary of State for Wales**

***Jonathan Evans***

**Parliamentary Under Secretary of State, Welsh Office**

**4th March 1997**

**SCHEDULE 1**

**Article 20**

**RENDERING REQUIREMENTS**

**PART I**

## REQUIREMENTS TO BE MET WHERE SPECIFIED BOVINE MATERIAL IS RENDERED

1. The premises shall be adequately separated from the public highway and other premises. Notwithstanding this, they may occupy the same site as premises where animal products which are not specified bovine material are rendered provided that specified bovine material is stored, handled and processed separately from other animal material and by means of equipment used only for specified bovine material.

2. Unauthorised persons and animals shall not be permitted to have access to the premises.

3. The premises or part of the premises used to process specified bovine material must have a clean and an unclean section specified by the occupier, adequately separated. The unclean section must have a covered place to receive and store the specified bovine material for processing and must be constructed in such a way that it is easy to clean and disinfect. Floors must be laid in such a way as to facilitate the draining of liquids. The premises must have adequate lavatories, changing rooms and washbasins for staff.

4. The premises shall have sufficient capacity of hot water and steam production to render specified bovine material in accordance with the method in Part II of this Schedule chosen by the operator.

5. The equipment used to render specified bovine material shall include -

- (a) measuring equipment to check temperature and, if necessary, pressure at critical points;
- (b) recording devices to record continuously the results of measurements; and
- (c) an adequate safety system to prevent insufficient heating.

6. To prevent recontamination of processed specified bovine material by incoming specified bovine material, there must be clear separation between the area of the premises where the incoming specified bovine material is unloaded and rendered and the areas set aside for further processing of the heated specified bovine material and the storage of finished specified bovine material products.

7. The premises must have adequate facilities for cleaning and disinfecting the containers or receptacles in which unprocessed specified bovine material is received and the vehicles in which it is transported.

8. Adequate facilities must be provided for disinfecting the wheels, immediately before their departure, of vehicles transporting specified bovine material or leaving the unclean section of the premises.

## PART II

### METHODS OF RENDERING

#### METHOD 1

##### NATURAL FAT BATCH ATMOSPHERIC (150 mm PARTICLE SIZE)

#### Equipment

**1. The premises shall be equipped with apparatus to crush specified bovine material to the appropriate particle size, at least one cooker to cook the specified bovine material, sufficient capacity of hot water and steam production to render specified bovine material in accordance with this method, and equipment to separate protein from tallow and store those products.**

#### **Crushing**

**2. The raw material shall be reduced in size by crushing so that the particle size does not exceed 150 mm. Final reduction equipment shall be checked daily and its condition recorded. Any broken equipment shall be repaired without delay to ensure that the final particle size is achieved.**

#### **Cooking**

**3. Crushed material shall then be heated in a steam jacketed vessel to remove the inherent moisture at atmospheric pressure. The times and temperatures achieved during the cooking process shall be recorded in a permanent form. During the course of cooking, the material shall be maintained at a temperature in excess of 100° C for at least 125 minutes, a temperature in excess of 110° C for at least 120 minutes and a temperature in excess of 120° C for at least 50 minutes. Material may be cooked so that two or more time/temperature requirements are carried out at the same time.**

#### **Separation and storage of final products**

**4. After cooking, the material shall be discharged from the cookers and separated into its tallow and protein components. Protein and tallow shall be stored separately.**

#### **Records**

**5. All records shall be kept for one year.**

## **METHOD 2**

### **NATURAL FAT BATCH ATMOSPHERIC (30 mm PARTICLE SIZE)**

#### **Equipment**

**1. The premises shall be equipped with apparatus to crush specified bovine material to the appropriate particle size, at least one cooker to cook the specified bovine material, sufficient capacity of hot water and steam production to render specified bovine material in accordance with this method, and equipment to separate protein from tallow and store those products.**

#### **Crushing**

**2. The raw material shall be reduced in size by crushing so that the particle size does not exceed 30 mm. Final reduction equipment shall be checked daily and its condition recorded. Any broken equipment shall be repaired without delay to ensure that the final particle size is achieved.**

#### **Cooking**

**3. Crushed material shall then be heated in a steam jacketed vessel to remove the inherent moisture at atmospheric pressure. The times and temperatures achieved during the cooking process must be recorded in permanent form. During the course of cooking, the material must be maintained at a temperature in excess of 100° C for at least 95 minutes, a temperature in excess of 110° C for at least 55 minutes and a temperature in excess of 120° C for at least 13 minutes. Material may be cooked so that two or more time/temperature requirements are carried out at the same time.**

#### **Separation and storage of final products**

**4. After cooking, the material shall be discharged from the cookers and separated**

into its tallow and protein components. Protein and tallow shall be stored separately.

#### **Records**

5. All records shall be kept for one year.

### **METHOD 3**

#### **ADDED FAT BATCH ATMOSPHERIC (30 mm PARTICLE SIZE)**

#### **Equipment**

1. The premises shall be equipped with apparatus to crush specified bovine material to the appropriate particle size, at least one cooker to cook the specified bovine material, sufficient capacity of hot water and steam production to render specified bovine material in accordance with this method, and equipment to separate protein from tallow and store these products.

#### **Crushing**

2. The raw material shall be reduced in size by crushing so that the particle size does not exceed 30 mm. Final reduction equipment shall be checked daily and its condition recorded. Any broken equipment shall be repaired without delay to ensure that the final particle size is achieved.

#### **Cooking**

3. Crushed material shall then be heated with added tallow in a steam jacketed vessel to remove the inherent moisture at atmospheric pressure. The times and temperatures achieved during the cooking process must be recorded on a permanent recording system. During the course of cooking, the material shall be maintained at a temperature in excess of 100° C for at least 16 minutes, a temperature in excess of 110° C for at least 13 minutes and a temperature in excess of 130° C for at least 3 minutes. Material may be cooked so that two or more time/temperature requirements are carried out at the same time.

#### **Separation and storage of final products**

4. After cooking, the material shall be discharged from the cookers and separated into its tallow and protein components. Protein and tallow shall be stored separately.

#### **Records**

5. All records shall be kept for one year.

### **METHOD 4**

#### **NATURAL FAT BATCH (BATCH PRESSURE)**

#### **Equipment**

1. The premises shall be equipped with apparatus to crush specified bovine material to the appropriate particle size, at least one cooker to cook the specified bovine material, sufficient capacity of hot water and steam production to render specified bovine material in accordance with this method, and equipment to separate protein from tallow and store those products.

#### **Crushing**

2. The raw material shall be reduced in size by crushing so that the particle size does not exceed 50 mm. Final reduction equipment shall be checked daily and its

condition recorded. Any broken equipment shall be repaired without delay to ensure that the final particle size is achieved.

### **Cooking**

3. Crushed material should then be heated in a steam jacketed vessel. After all air in the vessel has been displaced by steam, the vessel shall be sealed and heating continued until the pressure reaches 3 bar and the temperature reaches at least 133° C. This state should be held for at least 20 minutes, after which the pressure should be lowered back to atmospheric pressure. The product should then be dried to remove all of its inherent moisture. The times, temperatures and pressures achieved during the cooking process must be recorded on a permanent recording system.

### **Separation and storage of final products**

4. After cooking, the material shall be discharged from the cookers and separated into its tallow and protein fractions. Protein and tallow shall be stored separately.

### **Records**

5. All records shall be kept for one year.

## **METHOD 5**

### **NATURAL FAT CONTINUOUS ATMOSPHERIC**

### **Equipment**

1. The premises shall be equipped with apparatus to crush specified bovine material to the appropriate particle size, at least one cooker to cook the specified bovine material, sufficient capacity of hot water and steam production to render specified bovine material in accordance with this method, and equipment to separate protein from tallow and store those products.

### **Crushing**

2. The raw material shall be reduced in size by crushing so that the particle size does not exceed 30 mm. Final reduction equipment shall be checked daily and its condition recorded. Any broken equipment shall be repaired without delay to ensure that the final particle size is achieved.

### **Cooking**

3. The material shall be passed into a steam heated vessel. Passage of the raw material through the vessel shall be controlled by means of displacement and mechanical restrictions to ensure that the cooked dried material is discharged with all of its residual moisture removed as water vapour. The maximum feed rate for raw material and the minimum discharge temperature will be set for the vessel in the approval for the premises granted under this Order. The material shall be maintained at a temperature in excess of 100° C for at least 95 minutes, a temperature in excess of 110° C for at least 55 minutes and a temperature in excess of 120° C for at least 13 minutes. Material may be cooked so that two or more time/temperature requirements are carried out at the same time. The times and temperatures achieved during the cooking process must be recorded on a permanent recording system.

### **Separation and storage of final products**

4. After cooking, the material shall be discharged from the cookers and separated into its tallow and protein components. Protein and tallow shall be stored separately.

### **Records**

5. All records shall be kept for one year.

## METHOD 6

### ADDED FAT CONTINUOUS ATMOSPHERIC

#### Equipment

1. The premises shall be equipped with apparatus to crush specified bovine material to the appropriate particle size, at least one cooker to cook the specified bovine material, sufficient capacity of hot water and steam production to render specified bovine material in accordance with this method, and equipment to separate protein from tallow and store those products.

#### Crushing

2. The raw material shall be reduced in size by crushing so that the particle size does not exceed 30 mm. Final reduction equipment shall be checked daily and its condition recorded. Any broken equipment shall be repaired without delay to ensure that the final particle size is achieved.

#### Cooking

3. The material shall be passed into a steam heated vessel where a consistent level of hot liquid tallow is maintained by recycling tallow as appropriate. Passage of the raw material through the vessel shall be controlled by means of displacement and mechanical restrictions to ensure that the cooked dried material is discharged with all of its residual moisture removed as water vapour. The maximum feed rate for raw material, the maximum tallow recycle rate, and the minimum discharge temperature will be set for the vessel in the approval for the premises granted under this Order. The material shall be maintained at a temperature in excess of 100° C for at least 16 minutes, a temperature in excess of 110° C for at least 13 minutes, a temperature in excess of 120° C for at least 8 minutes and a temperature in excess of 130° C for at least 3 minutes. Material may be cooked so that two or more time/temperature requirements are carried out at the same time. The times and temperatures achieved during the cooking process must be recorded on a permanent recording system.

#### Separation and storage of final products

4. On discharge from the vessel, any surplus tallow not required to maintain the vessel's operating level shall be removed, and the material separated into its tallow and protein components. Protein and tallow shall be stored separately.

#### Records

5. All records shall be kept for one year.

## METHOD 7

### DEFATTED CONTINUOUS ATMOSPHERIC

#### Equipment

1. The premises shall be equipped with apparatus to crush specified bovine material to the appropriate particle size, at least one cooker to cook the specified bovine material, sufficient capacity of hot water and steam production to render specified bovine material in accordance with this method, and equipment to separate protein from tallow and store those products.

#### Crushing

2. The raw material shall be reduced in size by crushing so that the particle size

does not exceed 150 mm. Final reduction equipment shall be checked daily and its condition recorded. Any broken equipment shall be repaired without delay to ensure that the final particle size is achieved.

#### Pre-heating

3. The crushed material shall then be passed to a pre-heater. Passage of the raw material through the pre-heater shall be controlled by means of displacement and mechanical restrictions to ensure that the cooked material is discharged at a temperature of at least 80° C and in a form in which water and tallow can be removed from the protein residue.

#### Pressing

4. The material discharged from the pre-heater must be passed through a screw press so adjusted that all water and tallow are removed from the protein residue.

#### Drying

5. The protein residue shall be passed into a steam heated vessel. Passage of the protein residue through the vessel shall be controlled by means of displacement and mechanical restrictions to ensure that the cooked dried protein is discharged with all of its residual moisture removed as water vapour. A maximum feed rate for protein residue and a minimum discharge temperature will be set for the vessel by an officer of the appropriate Minister. The material shall be maintained at a temperature in excess of 80° C for at least 120 minutes and a temperature in excess of 100° C for at least 60 minutes. Material may be cooked so that both time/temperature requirements are carried out at the same time. The times and temperatures achieved during the cooking process must be recorded on a permanent recording system.

#### Storage of final products

6. Protein and tallow shall be stored separately.

#### Records

7. All records shall be kept for one year.

## SCHEDULE 2

### Article 2(4)

#### APPLICATION OF THE ORDER TO SCHEME ANIMALS

<i>Provision of the Order</i>	<i>Extent to which provision applies to scheme animals</i>
Article 6	Not applicable
Article 7	Not applicable
Article 8(5)	Not applicable

Article 8(6)	Not applicable
Article 9(3)	Subject to the modification that the tongue may not be removed
Article 9(4)	Subject to the modification that from the point at which specified bovine material derived from a scheme animal is removed from the slaughterhouse, it may come into contact with any other animal material from such an animal
Article 9(7)	Not applicable
Article 10	Not applicable
Article 17(1)(e)	Not applicable
Article 20(4)	Subject to the modification that specified bovine material may come into contact with any animal material from a scheme animal
Article 20(6)	Subject to the modification that equipment used for processing specified bovine material may be used for processing any part of a scheme animal
Article 20(7)	Subject to the modification that protein and tallow produced from specified bovine material of scheme animals shall be disposed of by burning by means which have been licensed under the Environmental Protection Act 1990
Article 21	Not applicable
Article 22(5)(a)	Subject to the modification that the words "buried or" shall be deemed to be deleted
Article 22(5)(c)	Subject to the modification that the words "burial or" shall be deemed to be deleted
Article 24	Not applicable
Article 26(1)	Subject to the modification that the impervious container or part of the vehicle (as the case may be) may also contain animal material from scheme animals
Paragraph 1 of Schedule 1	Subject to the modification that specified bovine material need not be stored, handled and processed separately from animal material from scheme animals

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**EXPLANATORY NOTE**

*(This note is not part of the Order)*

**This Order revokes and re-makes with amendments the Specified Bovine Material (No. 3) Order 1996.**

**It controls specified bovine material, being material which may contain the agent containing bovine spongiform encephalopathy.**

**It implements in part -**

**(a) Commission Decision 94/474/EC (OJ No. L194, 29.7.94, p.96) concerning certain protection measures relating to bovine spongiform encephalopathy and repealing Decisions 89/469/EEC and 90/200/EEC; and**

**(b) the provisions relating to animal waste of Council Directive 90/667/EEC (OJ No. L363, 27.12.90, p.51) laying down the veterinary rules for the disposal of animal waste, for its placing on the market and for the prevention of pathogens in feeding stuffs of animal or fish origin and amending Directive 90/425/EEC as read with Commission Decision 92/562/EEC (OJ No. L359, 9.12.92, p.23) and Commission Decision 94/382/EC (OJ No. L172, 7.7.94, p.25), which was amended by Commission Decision 95/29/EC (OJ No. L38, 18.2.95, p.17).**

**It controls the sale and use of specified bovine material for human and animal consumption (articles 4 and 8) and the production of mechanically recovered meat (articles 6 and 7). It regulates the initial treatment of specified bovine material (articles 9, 10 and 12) and the rendering of whole carcasses (article 11). It prohibits the removal of the brain, eyes and spinal cord from a bovine animal (articles 14 and 15) and it regulates the importation of specified bovine material from Northern Ireland (article 16).**

**The Order regulates the consignment of specified bovine material once it has been removed from the carcass (article 17) and requires the approval of collection centres, incinerators, rendering plants and other premises that process specified bovine material (articles 18 to 21).**

**It contains provisions on veterinary and laboratory premises, directions, export, sampling, transport, storage and enforcement (articles 22 to 28).**

**The amendments made by this Order -**

**(a) extend the prohibition on the use of specified bovine material to prohibit its use in cosmetic, pharmaceutical and medical products (article 5);**

**(b) amend the prohibition on the feeding of specified bovine material to animals, so that it applies to prohibit such feeding to all creatures (article 8);**

**(c) requires the occupier of any premises at which specified bovine material is stored or handled to take appropriate measures to ensure that any stain applied to that material in accordance with these Regulations remains visible until it has been rendered or incinerated (article 13);**

(d) revise the requirements relating to the use of specified bovine material at premises unconnected with food and feeding stuffs, so that they apply to premises not producing food, feeding stuffs or cosmetic, pharmaceutical or medical products (article 21); and

(e) revise the requirements relating to the disposal of specified bovine material used in research and for teaching purposes (article 22).

A Compliance Cost Assessment for this Order has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Animal Health (BSE) Division of the Ministry of Agriculture, Fisheries and Food, Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF.

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*Notes:*

[1] 1981 c.22. See section 86(1) for a definition of the Ministers and the Minister. [back](#)

[2] S.I. 1988/2264, by virtue of which bovine spongiform encephalopathy has been designated as a disease of animals which constitutes a risk within section 29 of the Animal Health Act 1981. The Order applies sections 1 and 8(1) of the 1981 Act in relation to that disease. [back](#)

[3] 1970 c.40; the definition of feeding stuff in section 66(1) was substituted by regulation 20(1) of the Feeding Stuffs Regulations 1995 (S.I. 1995/1412); regulation 3 of those Regulations prescribes descriptions of animals for the purpose of the definition. [back](#)

[4] 1990 c.16. [back](#)

[5] OJ No. L99, 19.4.96, p.14, to which there are amendments not relevant to this Order. [back](#)

[6] S.I. 1997/389. These Regulations impose restrictions on the use of bovine vertebral column in the production of gelatin, tallow and other by-products for use in food, feeding stuffs, cosmetic, pharmaceutical and medical products. [back](#)

[7] Colour Index is published by the Society of Dyers and Colourists at Perkin House, 82 Grattan Road, Bradford, West Yorkshire BD1 2JB. [back](#)

[8] 1990 c.43. [back](#)

[9] Colour Index is published by the Society of Dyers and Colourists at Perkin House, 82 Grattan Road, Bradford, West Yorkshire BD1 2JB. [back](#)

[10] 1981 c.22. [back](#)

[11] S.I. 1996/1941. [back](#)

[12] S.I. 1996/3185. [back](#)

[13] S.I. 1996/3268. [back](#)

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