

Statutory Rule 2000 No. 287

Meat (Disease Control) Regulations (Northern Ireland) 2000

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STATUTORY RULES OF NORTHERN IRELAND

2000 No. 287

FOOD

Meat (Disease Control) Regulations (Northern Ireland) 2000

<i>Made</i>	<i>3rd October 2000</i>
<i>Coming into operation</i>	<i>6th November 2000</i>

ARRANGEMENT OF REGULATIONS

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Whereas it appears to the Department of Health, Social Services and Public Safety[1] that it is necessary or expedient -

- (a) for the purposes of securing that food complies with food safety requirements and in the interests of public health; and
- (b) for the purpose of protecting or promoting the interests of consumers,

to make the following Regulations;

Now therefore, that Department, in exercise of the powers conferred by Articles 15(1), (2) and (3), 16(1), 18(1), 25, 44, 47(2) and 48(2) of, and paragraphs 5, 6(1)(a) and 7(1) and (2) of Schedule 1 to, the Food Safety (Northern Ireland) Order 1991[2] and of every power enabling it in that behalf, and being a Department designated[3] for the purposes of section 2(2) of the European Communities Act 1972[4] in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, and after consultation, in accordance with Article 47(3) of the said Order of 1991, with such organisations as appear to it to be representative of interests likely to be substantially affected by the Regulations and having regard, in accordance with Article 47(3A) of the said Order of 1991, to any relevant advice given by the Food Standards Agency, hereby makes the following Regulations -

Citation, commencement and interpretation

- 1. - (1) These Regulations may be cited as the Meat (Disease Control) Regulations (Northern Ireland) 2000 and shall come into operation on 6th November 2000.
- (2) The Interpretation Act (Northern Ireland) 1954[5] shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendments to the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997

- 2. The Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997[6] shall be amended as follows -

- (a) in paragraph (3) of regulation 12 (general conditions) -
 - (i) the word "or" separating sub-paragraphs (c) and (d) shall be revoked;
 - (ii) the phrase "cutting premises;" shall be substituted for the phrase "cutting premises." in sub-paragraph (d); and
 - (iii) the following sub-paragraphs shall be inserted after sub-paragraph (d) -
 - " (e) fresh meat obtained from domestic sheep, goats or solipeds which have not been held in Community territory for at least 21 days on the date of slaughter, or from birth in the case of animals which are less than 21 days old;
 - (f) fresh meat obtained from animals which -
 - (i) come from a holding or area which, at the time of their departure from the holding or area concerned, was subject to a prohibition or restriction as a result of the outbreak of foot and mouth disease, swine fever, swine vesicular disease or contagious swine paralysis (Teschen disease); and

(ii) are susceptible to the particular disease referred to in sub-paragraph (i) which led to the prohibition or restriction being imposed;

(g) fresh meat obtained from a slaughterhouse while that slaughterhouse was itself under restriction by virtue of an Order under the Diseases of Animals Order (Northern Ireland) 1981[7] following the confirmation there of foot and mouth disease, swine fever, swine vesicular disease or contagious swine paralysis (Teschen disease);

(h) (without prejudice to sub-paragraph (f)) fresh meat obtained from swine, sheep or goats originating from a holding which at the time of their departure from the holding concerned was subject to a prohibition for health reasons (as provided for by Article 4 of Council Directive 72/461/EEC[8] on health problems affecting intra-Community trade in fresh meat, as amended by amendments up to and including those effected by Council Decision 95/1/EC, Euratom, ECSC[9]) as a result of an outbreak of porcine, ovine or caprine brucellosis; or

(i) any fresh meat which has not been obtained, cut, stored and transported either separately or at a different time from the meat referred to in any of sub-paragraphs (e) to (h).";

(b) in Schedule 12 (health marking) -

(i) in paragraph 1, for "paragraphs 2 and 7", there shall be substituted "paragraphs 2, 7 and 8";

(ii) in paragraph 2, for "Regulation 12(3)", there shall be substituted "any of sub-paragraphs (a) to (d) of paragraph (3) of regulation 12";

(iii) the following paragraph shall be inserted at the end -

" 8. In the case of the fresh meat referred to in any of sub-paragraphs (e) to (i) of paragraph (3) of regulation 12, the health mark required by paragraph 1 or 2 shall be -

(a) over stamped in such a way that it is covered by a diagonal cross consisting of two straight lines crossing at right angles, with the point of intersection in the centre of the stamp and the information thereon remaining legible; or

(b) applied with a single mark consisting of the health mark referred to in paragraph 1 or 2 over stamped in accordance with sub-paragraph (a).".

Amendments to the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1995

3. The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1995[10] shall be amended as follows -

(a) in paragraph (3) of regulation 13 (general conditions) sub-paragraph (c) shall be replaced by the following -

" (c) fresh meat which has been -

- (i) marked in accordance with paragraph 6 of Schedule 11; or
- (ii) has not been obtained, cut, stored and transported separately or at a different time from meat which has been marked in accordance with paragraph 6 of Schedule 11;"

(b) in regulation 13, after paragraph (3) there shall be inserted the following paragraph -

" (3A) A person shall not consign or sell for consignment to any relevant EEA State, or a region of any relevant EEA State or a region of Great Britain, which has been recognised in accordance with Article 12(2) of Council Directive 90/539/EEC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs^[11], as amended by amendments up to and including those effected by Council Decision 95/1/EC, Euratom, ECSC, any meat which comes from a bird which has been vaccinated against Newcastle disease with a live vaccine during the 30 days preceding the date of slaughter.";

(c) in Schedule 11 (health marking), paragraph 6 shall be replaced by the following paragraph -

" 6. - (1) Subject to paragraph 7, the health mark required by paragraph 1 or 4 shall be over stamped or applied as specified in sub-paragraph (2) in cases where fresh meat -

(a) is obtained from any bird which comes from a holding -

- (i) in relation to which a notice has been served under Article 6 of the Diseases of Poultry Order (Northern Ireland) 1995^[12] restricting movements to or from that holding; or
- (ii) which, at the time of the bird's departure from the holding concerned, was under restriction by virtue of an Order under the Diseases of Animals (Northern Ireland) Order 1981 relating to any disease to which poultry is susceptible;

(b) is obtained from any bird which has come into contact with a bird suffering from avian influenza or Newcastle disease during transport from the holding to the slaughterhouse;

(c) is obtained from a slaughterhouse while that slaughterhouse is under restriction by virtue of an Order under the Diseases of Animals (Northern Ireland) Order 1981 relating to avian influenza or Newcastle disease; or

(d) is suspected or may reasonably be suspected of having been contaminated by avian influenza or Newcastle disease at the slaughterhouse, cutting premises, cold store or during transportation.

(2) The health mark shall be -

- (a) over stamped in such a way that it is covered by a diagonal cross consisting of two straight lines crossing at right angles, with the point of intersection in the centre of the stamp and the information thereon remaining legible; or
- (b) applied with a single mark, consisting of the health mark referred to in paragraph 1 or 4, over stamped in accordance with paragraph (a) of this sub-paragraph .".

Amendments to the Meat Products (Hygiene) Regulations (Northern Ireland) 1997

4. The Meat Products (Hygiene) Regulations (Northern Ireland) 1997[13] shall be amended as follows -

(a) in regulation 2(1) -

(i) after the definition of "raw material" there shall be inserted the following definition -

" "relevant EEA State" means an EEA State other than Iceland;"

(ii) after the definition of "treatment" there shall be inserted the following definition -

" "United Kingdom EC health mark" means the United Kingdom EC health mark described in paragraph 1 of Part VI of Schedule 2;"

(b) regulation 8 shall be renumbered regulation 8. - (1) and after that paragraph there shall be added the following paragraphs -

" (2) A person shall not apply the United Kingdom EC health mark to, or consign or sell for consignment to a relevant EEA State for human consumption a meat product prepared in whole or in part from any meat referred to in -

(a) any of sub-paragraphs (e) to (i) of paragraph (3) of regulation 12 of the Fresh Meat Regulations; or

(b) paragraph 6 of Schedule 11 to the Poultry Meat Regulations,

unless the meat product has undergone treatment in accordance with paragraph D of Part VIII of Schedule 2.

(3) Any meat product to which paragraph (2) applies shall -

(a) be prepared only under official veterinary supervision and must be protected from any contamination or recontamination; and

(b) notwithstanding regulation 12(2), be accompanied during transportation by the health certificate referred to in regulation 12(1)(c).

(4) The meat referred to in paragraph (2) shall be stored separately or at a different time from meat which is not referred to in paragraph (2).";

(c) in regulation 12 (storage and transportation conditions), sub-paragraphs (b) and (c) of paragraph (1) and paragraph (2) shall be replaced by the following provisions -

" (b) it is accompanied during transportation by a commercial document which bears the official approval code of the meat products premises of origin; and

(c) subject to paragraph (2), it is accompanied during transportation by a health certificate signed by an authorised officer of an enforcement authority at the time of loading corresponding in form and content to that specified in Schedule 4 where -

(i) it contains meat from a slaughterhouse while that slaughterhouse was under restriction by virtue of an Order made under the Diseases of Animals (Northern Ireland) Order 1981;

(ii) it contains meat bearing a special mark under regulation 12(2)(c) or (d) of the Fresh Meat Regulations; or

(iii) it is intended to be sent to a relevant EEA State after transit through a third country.

(2) The requirement for a health certificate at paragraph (1)(c) shall not apply to a meat product in a hermetically sealed container where the product has undergone the treatment referred to in paragraph B(a) of Part VIII of Schedule 2 and the health mark is indelibly marked on the container.

(2A) Where a meat product is intended to be sent to a relevant EEA State after transit through a third country it shall be transported in a sealed means of transport.";

(d) paragraph (3) of regulation 12 shall be replaced by the following -

" (3) An enforcement authority may make a reasonable charge for the issue of any health certificate pursuant to paragraph (1)(c).";

(e) at the end of Part VIII of Schedule 2 (special conditions) there shall be added -

" **D.** - (1) Subject to sub-paragraph (3), the meat products to which regulation 8(2) applies, shall undergo one of the following forms of treatment -

(a) heat treatment in a hermetically sealed container with an Fo value of 3.00 or more; or

(b) in the case of a meat product which has been prepared exclusively from or with pigmeat which has been obtained from a holding or area which at that time was not subject to any restriction on health grounds following the discovery of African Swine Fever -

(i) the meat must be fully de-boned and the main lymphatic glands removed before heating;

(ii) the meat must be enclosed in the hermetically sealed container in

which it is to be marketed and must undergo heat treatment in accordance with the following conditions:

- the product must be kept at a temperature of at least 60°C for a minimum of four hours during which the temperature must be at least 70°C for a minimum of thirty minutes;
- the temperature of a representative number of samples of each batch of the product must be monitored constantly, using automatic apparatus enabling the temperature to be recorded both in the centre of the pieces of greater weight and inside the heating equipment; and
- throughout these operations, the conditions laid down in the third subparagraph of Article 5A of Council Directive 72/461/EEC must be fulfilled.

(2) After heat treatment, a health mark shall be applied to the container in accordance with the requirements of Part VI.

(3) Notwithstanding paragraph (1), a meat product to which regulation 8(2) applies and which is prepared from fresh meat obtained from animals which, although they come from an area which is specified in regulation 12(3)(f) of the Fresh Meat Regulations do not come from a holding which is so specified, may, instead of undergoing one of the forms of treatment specified in paragraph (1), undergo -

(a) heat treatment of a type different from those referred to in paragraph (1), provided that the centre temperature is raised to at least 70°C;

(b) provided that the disease in question is not swine vesicular disease, treatment consisting in natural fermentation and maturation of not less than nine months for de-boned or boneless hams which -

(i) weigh not less than 5.5 kg; and

(ii) have an AW value of not more than 0.93 and a pH value of not more than 6; or

(c) if the disease in question is foot-and-mouth disease, the treatment referred to in paragraph (b) may be applied to bone-in ham which fulfils the conditions of sub-paragraphs (i) and (ii) of paragraph (b).";

(f) in the form of the health certificate specified in Schedule 4 (health certificate for meat products), the text of the first footnote (d) and of footnote (e) shall be replaced by the following -

" Mention any ionising radiation for medical reasons and specify whether treated in accordance with paragraph D(1) or paragraph D(3) of Part VIII of Schedule 2."

Amendments to the Minced Meat and Meat Preparations (Hygiene) Regulations (Northern Ireland) 1997

5. The Minced Meat and Meat Preparations (Hygiene) Regulations (Northern Ireland) 1997[[14](#)] shall be amended as follows -

(a) in regulation 2 after the definition of "registered premises" there shall be inserted the following definition -

" "relevant EEA State" means an EEA State other than Iceland;"

(b) at the end of Schedule 4 (conditions for the production of minced meat) there shall be inserted the following paragraph -

" 7. Fresh meat such as is referred to in any of sub-paragraphs (e) to (i) of paragraph (3) of regulation 12 of the Fresh Meat Regulations shall not be used for the production of minced meat.";

(c) after paragraph 2 of Schedule 5 (conditions for the production of meat preparations) there shall be inserted the following paragraph -

" 3. The following shall not be used for the production of meat preparations which are to be consigned to a relevant EEA State -

(a) fresh meat such as is referred to in any of sub-paragraphs (e) to (i) of paragraph (3) of regulation 12 of the Fresh Meat Regulations; and

(b) meat referred to in paragraph 6 of Schedule 11 to the Poultry Meat Regulations.".

Consequential amendments

6. Schedule 2 (regulations relevant to intra-community trade) to the Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998^[15] shall be amended as follows -

(a) paragraph (6) (the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997) shall be re-numbered (6A); and

(b) the following reference shall be inserted at the end of paragraphs (4), (6A), (7) and (8) -

S.R. 2000 No. 287.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety
on

3rd October 2000.

L.S.

Don Hill

A senior officer of the Department of Health, Social Services and Public Safety

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations give effect in part to the provisions of the following Council Directives relating to disease control:

- Council Directive 72/461/EEC on health problems affecting intra-Community trade in fresh meat (O.J. No. L302, 31.12.72, p. 24 (Special edition 1972 31 Dec (3) p. 3)), which was last amended by Council Decision 95/1/EC, Euratom, ECSC (O.J. No. L1, 1.1.95, p.1);
- Council Directive 91/494/EEC on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat (O.J. No. L268, 24.9.91, p. 35), which was last amended by Council Directive 93/121/EC (O.J. No. L340, 31.12.93, p. 39);
- Council Directive 80/215/EEC on animal health problems affecting intra-Community trade in meat products (O.J. No. L47, 21.2.80, p. 4), which was last amended by Council Decision 95/1/EC, Euratom, ECSC (O.J. No. L1, 1.1.95, p. 1);
- Council Directive 77/99/EEC on health problems affecting the production and marketing of meat products and certain other products of animal origin (the text of that Directive was replaced by the text annexed to Council Directive 92/5/EEC (O.J. No. L57, 2.3.92, p. 1));
- Council Directive 94/65/EC laying down the requirements for the production and placing on the market of minced meat and meat preparations (O.J. No. L368, 31.12.94, p. 10).

The Regulations make the following principal amendments -

1. Regulation 2 amends the Fresh Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997. It provides that, where meat is obtained in circumstances where animal health restrictions in connection with certain specified diseases apply, the health mark must be overstamped. Meat which has been overstamped or which has not been produced separately from overstamped meat may not be traded with other EEA States.

2. Regulation 3 amends the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1995. It provides that, where poultry meat is obtained in circumstances where animal health restrictions apply in connection with any disease to which poultry is susceptible - specifically avian influenza and Newcastle disease - the health mark must be overstamped. Meat which has been overstamped or which has not been produced separately from overstamped meat may not be traded with other EEA States. In addition, meat from a bird which has been vaccinated against Newcastle disease within 30 days of slaughter may not be traded with other EEA States.

3. Regulation 4 amends the Meat Products (Hygiene) Regulations (Northern Ireland) 1997. It prohibits the use of overstamped meat in meat products which are to be traded with other EEA States, unless the meat products undergo one of the forms of treatment prescribed at regulation 4(e) (which amends Part VIII of Schedule 2 to those Regulations). Such meat products must be prepared under veterinary supervision, must be stored separately from oval health marked meat and must be accompanied by a health certificate

which confirms that they have been treated in accordance with the Regulations. All meat products are now required to be accompanied during transportation by commercial documentation, in addition to the requirement for a health certificate in specified circumstances.

4. Regulation 5 amends the Minced Meat and Meat Preparations (Hygiene) Regulations (Northern Ireland) 1997. It restricts the use of overstamped meat in minced meat and meat preparations.

Regulation 6 makes a number of consequential amendments to the Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998 (S.R. 1998 No. 45 as already amended).

Notes:

- [1] Formerly the Department of Health and Social Services; *see* S.I. 1999/283 (N.I. 1) Article 3(6)[back](#)
- [2] S.I. 1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12) and paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c. 28[back](#)
- [3] S.I. 1972/1811[back](#)
- [4] 1972 c. 68[back](#)
- [5] 1954 c. 33 (N.I.)[back](#)
- [6] S.R. 1997 No. 493 as amended by S.R. 1998 No. 237, S.R. 2000 No. 78 and S.R. 2000 No. 191[back](#)
- [7] S.I. 1981/1115 (N.I. 22)[back](#)
- [8] O.J. No. L302, 31.12.72 (Special Edition 1972 31 Dec (3) p. 3)[back](#)
- [9] O.J. No. L1, 1.1.95, p. 1[back](#)
- [10] S.R. 1995 No. 396 as amended by S.R. 1997 No. 496, S.R. 1998 No. 237, S.R. 2000 No. 78 and S.R. 2000 No. 191[back](#)
- [11] O.J. No. L303, 31.10.90, p. 6[back](#)
- [12] S.R. 1995 No. 465[back](#)
- [13] S.R. 1997 No. 494, as amended by S.R. 1999 No. 193, S.R. 2000 No. 78 and S.R. 2000 No. 191[back](#)
- [14] S.R. 1997 No. 495, as amended by S.R. 2000 No. 78 and S.R. 2000 No. 191[back](#)
- [15] S.R. 1998 No. 45, the relevant amending Regulations are S.R. 1998 No. 207 and S.R. 2000 No. 191[back](#)

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