

**ABATTOIRS ACT 1988 (VETERINARY EXAMINATION) (AMENDMENT) REGULATIONS
1997**

I, JOE WALSH, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 39 of the Abattoirs Act, 1988 (No. 8 of 1988), hereby make the following Regulations:

REG 1

1. (a) These Regulations may be cited as the Abattoirs Act, 1988 (Veterinary Examination) (Amendment) Regulations, 1997.

(b) The Abattoirs Act, 1988 (Veterinary Examination) Regulations, 1992 (No. 89 of 1992) and these Regulations may be cited together as the Abattoirs Act, 1988 (Veterinary Examination) Regulations 1992 and 1997.

REG 2

2. These Regulations shall come into effect on the 27th day of October 1997.

AREG 3

3. The Abattoirs Act, 1988 (Veterinary Examination) Regulations, 1992 (S.I. No. 89) are hereby amended by:

(a) The insertion in Regulation 3(1) of the paragraphs:

"ratite birds" means the running birds, ostriches, emus and rheas;

"animal remedy" has the meaning assigned to it by section I of the Animal Remedies Act, 1993 (No. 23 of 1993).

(b) The insertion in Regulation 6 (4) of the words "in the case of animals other than ostriches or other ratite birds, and in accordance with the provisions of Part III of the First Schedule to these Regulations, in the case of animals that are ostriches or other ratite birds," after "Regulations".

(c) The insertion in Regulation 7 of the words "other than an ostrich or other ratite bird" after the word "animal" where it appears in this Regulation. The Regulation shall be renumbered Regulation 7(1) and Regulations 7(2), 7(3) and 7(4) shall be inserted as follows:—

7(2) Upon the completion of an ante mortem examination of an animal, that is an ostrich or other ratite bird, the veterinary inspector shall declare whether or not the animal is fit for slaughter for human consumption:

The grounds upon which the veterinary inspector may declare an animal that is an ostrich or other ratite bird to be unfit for slaughter for human consumption are set out in Part IV of the First Schedule to these Regulations.

7(3) The farmer suppliers of animals that are ostriches or other ratite birds rejected by a veterinary inspector as being unfit for slaughter for human consumption, shall remove such animals from the abattoir to the holding of origin unless otherwise directed by the veterinary inspector under Regulation 7(4).

7(4) When a veterinary inspector declares an animal unfit for slaughter for human consumption he may direct—

(a) the isolation of such animal if necessary;

(b) that the animal be removed from the abattoir to the holding of origin or elsewhere;

(c) that the animal be rested at the abattoir or elsewhere until fit for slaughter;

(d) (i) that the animal be slaughtered on humane grounds to avoid prolonging its suffering, and that such animal must not be skinned or eviscerated or cut up, but must be deemed condemned and placed in the separate waste container for condemned meat, and

(ii) that precautions be taken, to avoid cross contamination or infection from such animals humanely slaughtered, to other animals, carcasses, meat, abattoir equipment, staff and premises.

(d) The insertion in Regulation 9 of the words "other than an ostrich or other ratite bird" after the word "animal". The Regulation shall be renumbered Regulation 9(1) and Regulation 9(2) shall be inserted as follows:

9(2) The veterinary inspector shall conduct a post mortem examination of an animal which is an ostrich or other ratite bird, which has been slaughtered at an abattoir; such examination shall be conducted in accordance with the provisions of Part III of the Second Schedule of these Regulations.

(e) The insertion in Regulation 13(1) and 13(2) of the words "other than an ostrich or other ratite bird" after the word "animal" where it appears in these Regulations and the insertion of Regulations 13(4) and 13(5) as follows:

13(4) Upon completion of the examinations (including any farther examinations under Regulation 12) required under these Regulations, the veterinary inspector shall declare whether or not the meat, the carcass, (or any part thereof), or offal, of an animal, that is an ostrich or other ratite bird, is fit for human consumption; the grounds upon which the veterinary inspector may declare it to be unfit for human consumption, are set out in Part IV to the Second Schedule to these Regulations.

13(5) The veterinary inspector may declare the meat, the carcass, (or any part thereof) or offal of an animal that is an ostrich or other ratite bird, to be unfit for human consumption, whether or not such meat, carcass, parts of a carcass, or offal has previously been declared as fit for human consumption, and to have had the health mark applied to it, or to have been identified or labelled in accordance with Regulations made under section 40 of the Act, if such meat, carcass, part of a carcass, or offal, is subsequently found, by the veterinary inspector: -

(a) to be diseased or contaminated, or affected with any condition which renders it unfit for human consumption, or

(b) to have deteriorated in its condition, or

(c) not to be in a clean, marketable condition, or in compliance with the requirements of the Act or Regulations made thereunder, or

(d) not to satisfy all of the test methods, standards or requirements, prescribed under these Regulations or to contain residues of prohibited substances, or residues of other substances in excess of maximum permitted levels, or

(e) to be otherwise unfit for human consumption.

(f) The insertion of new Parts III and IV in the First Schedule as follows:

PART III

1. The veterinary inspector shall conduct an ante mortem examination of all the animals that are ostriches or other ratite birds that are intended for slaughter, under suitable lighting, and in such examination he shall determine -

- (a) whether or not an assessment of the farmer supplier of origin of the ostriches or other ratite birds declaration as set out in the Third Schedule to these Regulations indicates if the animal or animals are fit for slaughter for human consumption;
- (b) whether the animal or animals are suffering from any disease which can be transmitted to human or to animals, or are showing symptoms, or are in a general condition such as to indicate that they are affected by such a disease, on an individual or a collective basis;
- (c) whether the animal or animals show symptoms or signs of any disease or sickness, or any disorder of their general condition or disturbances of their general behaviour, which may make their meat unfit for human consumption;
- (d) whether the condition of the animal or animals indicated that it is unfit for slaughter for human consumption;
- (e) whether the animal or animals are tired, agitated or injured;
- (f) whether the animal shows signs or symptoms of having had animal remedies or pesticides administered, or applied to it, in such manner or quantity, or at such a time, that the residues of such substances exceed the levels permitted by law, or are likely to remain in the edible tissues of the animal, after it has been slaughtered;
- (g) whether the animal shows signs or symptoms of having consumed or been treated with, exposed to or administered any substances, other than those referred to in the preceding subparagraph (f) which may make its meat harmful to human health;
- (h) whether the animal is otherwise fit for slaughter, for human consumption.

2. The ante mortem examination of an animal that is an ostrich or other ratite bird, by the veterinary inspector shall include observation of the animal by him, and where the veterinary inspector thinks it appropriate to do so

- (a) the taking of the animals temperature or the carrying out of any other examination or tests appropriate to the species; and
- (b) the taking of samples from the animal whether of urine, faeces, blood tissues or otherwise.

PART IV

The following are the grounds upon which the veterinary inspector may declare an animal that is an ostrich or other ratite bird to be unfit for slaughter for human consumption -

- (a) no farmer supplier of origin declaration as prescribed in the Third Schedule to these Regulations was supplied with the animals to the abattoir occupier;
- (b) if the animal is showing clinical symptoms of
 - (i) Salmonellosis;
 - (ii) Ornithosis;
 - (iii) Cachexia
 - (iv) any other disease transmittable to humans or which may make the meat of the animal unfit for human consumption;

- (c) whether the animal shows signs or symptoms of a disease, disorder, condition, bruising, trauma, haemorrhage, discoloration or injury which is likely to make the meat of such animal unfit for human consumption;
- (d) where the ante mortem checks conducted in accordance with Part III of the First Schedule give the veterinary inspector reasonable grounds to believe that the meat of the animal may not be fit for human consumption;
- (e) where the animal is not in a rested condition and has not been rested for an adequate period, or where the animal is agitated;
- (f) where there is reason to believe that the withdrawal period for residues, has not been observed;
- (g) the veterinary inspector reasonably believes that animal remedies or pesticides have been administered or applied to the animal in such manner or quantity or at such a time that residues of such substances in excess of the levels permitted by law are likely to remain in the edible tissues of the animal after it has been slaughtered;
- (h) the veterinary inspector reasonably believes that the animal has consumed or been treated with, exposed to, or administered any substance, other than those referred to in the foregoing paragraph, which may make its meat harmful to human health;
- (i) the animal is one to which Regulation 59 (5) of the Abattoirs Act, 1988 (Abattoirs) Regulations, 1989 applies and is not accompanied by the certificate referred to in that provision;
- (j) the veterinary inspector has otherwise reasonable grounds to believe that the animal or its meat will not satisfy any tests, standards or requirements provided for under these Regulations;
- (k) the slaughter of the animal for human consumption is prohibited under any enactment;
- (l) a certificate or statutory declaration has been requested to be given with respect to the animal by the veterinary inspector under these Regulations and has not been given;
- (m) the slaughter of the animal for human consumption is prohibited by the Animal Remedies Act, 1993 (No. 23 of 1993) or Regulations made thereunder, or Regulations continued in force or deemed to have been made under that Act, or
- (n) the meat of the animal would, if the animal were to be slaughtered, be unfit for human consumption by reason of the Animal Remedies Act, 1993 (No. 23 of 1993) or Regulations made thereunder, or Regulations continued in force or deemed to have been made under that Act, or
- (o) the veterinary inspector otherwise finds the animal to be unfit for slaughter for human consumption.

(g) The insertion of new Parts III and IV in the Second Schedule as follows:

PART III

Post Mortem Examination of Animals that are Ratites.

1. The veterinary inspector shall conduct a post mortem examination of animals that are ostriches or other ratite birds to ensure that the meat is fit for human consumption, as follows

- (1) (a) the surface of the animal's body, including the internal and external carcase surfaces, (excluding the feathers, skin and feet) shall be visually examined, and if necessary incised.

(b) the viscera, including the liver, heart, kidneys, neck, thoracic and abdominal air-sacs and the head, eyes and sinus openings shall be visually examined, and if necessary palpated or incised.

(c) the body cavities shall be subjected to visual inspection and where necessary, palpation or incision; as soon as possible after slaughter.

(2) The animal shall be visibly inspected and its carcase and meat examined for abnormality in colour, odour, consistency or conditions.

(3) The carcase shall be examined for-

(a) evidence or lesions of any infectious disease, or of any abnormal condition, or of abscesses which may make the meat of the animal unfit for human consumption,

(b) the condition of nutrition,

(c) evidence of bruising haemorrhage or discoloration,

(d) efficiency of bleeding,

(e) swelling or deformities of bones or joints or swellings, or other abnormalities in musculature,

(f) any other condition or abnormality which may make the meat unfit for human consumption,

(g) indications of the administration or application to the animal of animal remedies or pesticides,

(h) where the veterinary inspector deems it necessary or advisable the carrying out of laboratory tests on tissues, blood, urine, faeces, or of other tests, to determine the presence of substances having a pharmacological action, or of residues of animal remedies or pesticides, or of other substances that may render meat or offals unfit for human consumption, or which are likely to be dangerous or harmful to human health

Part IV

The following are the grounds upon which the veterinary inspector shall declare the meat of an animal that is an ostrich or other ratite bird to be unfit for human consumption

(a) the carcase or meat is derived from an animal which was unfit for slaughter for human consumption, or was not the subject of an ante mortem or post mortem examination in accordance with these Regulations;

(b) generalised infectious disease or chronic localisation in organs of pathogenic micro-organisms transmissible to humans, or the presence of abscesses;

(c) systematic mycosis and local lesions in organs suspected of having been caused by pathogenic agents transmissible to humans or their toxins;

(d) extensive subcutaneous or muscular parasitism and systematic parasitism;

(e) poisoning;

(f) cachexia;

(g) abnormal smell, colour or taste;

(h) malignant or multiple tumours;

(i) general soiling or contamination;

(j) major lesions and ecchymosis

(k) insufficient bleeding;

(l) residues of substances exceeding the authorised standards or residues of prohibited substances, or the presence of residues or residue levels contrary to the Animal Remedies Act, 1993 (No. 23 of

1993) or Regulations made thereunder, or Regulations continued in force or deemed to have been made under that Act;

(m) the presence of substances other than referred to in (1) which may make the meat unfit for human consumption;

(n) ascites;

(o) parts of a slaughtered animal which show localised lesions or contamination not affecting the health of the rest of the meat shall be declared unfit for human consumption;

(p) where the veterinary inspector otherwise finds the carcass or the meat of the animal to be unfit for human consumption.

(h) the insertion of a new Third Schedule as follows:

THIRD SCHEDULE

DECLARATION OF FARMER SUPPLIER OF OSTRICHES OR OTHER RATITE BIRDS TO ABATTOIR FOR SLAUGHTER

In relation to the fitness of the ratities (ostriches, emus or rheas) for human consumption

(a) Name and address of farmer supplier of holding of origin (

b) Species, and number of ratities, description (breed and approx.

age), any individual identificationNo. of ostrichesName, No. of other

speciesDescriptionAny individual identification on birdsIdentification of

microchipped bird(s) and location of microchip in bird (c) (i)

Name of D.V.O. that carries out periodic inspection of ratities on

holding (ii) Name and address of Farmer Suppliers Veterinary Surgeon

for above ratities (d) Details and dates of any disease

condition and treatment of the above ratities, (identify birds)

during the 90 days prior to slaughter, and if applicable, the

attending veterinary surgeon's (VS) diagnosis together with any

laboratory results.Details and dates of diseased conditions and birds

(identify birds) during 90 days prior to slaughterIf applicable V.S.

diagnosis and Laboratory results (e) Details of (1) name of

animal remedies (AR) (2) date(s) of administration (DOA) and

(3) date(s) of withdrawal, (DOW) and (4) withdrawal period for same,

(W.P.) given to the ratities during 90 day period prior to

slaughter.(1) Name of (AR) given during 90 day period prior to

slaughterIdentification of treated birds.(2) D.O.A(3) D.O.W.(4) W.P. (

f) Name of any feed additive used, in feed or water, during 90

day period prior to the slaughter of birds.Name of feed additive in

feed/waterDates, period of use in above 90 day periodDate of

withdrawal of additiveWithdrawal period for additive

I HEREBY DECLARE THAT I AM THE FARMER SUPPLIER OF THE HOLDING OF

ORIGIN OF THE ABOVE OSTRICHES/EMUS/RHEAS, (DELETE AS NECESSARY) AND

THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

SignedFarmer Supplier of Holding of Origin of above Ratities to
Abattoir

Given under my Official Seal this 8th day of October, 1997.

JOE WALSH,

Minister for Agriculture and Food.

EXPLANATORY NOTE

These Regulations provide for the carrying out of ante and postmortem examinations on slaughtered ratite birds (ostriches, emus and

rheas) to determine the fitness of the meat for human consumption.

They also prescribe the grounds on which the birds or the meat of such birds may be declared unfit for human consumption.

