

S.I. No. 415 of 1996.

DISEASES OF ANIMALS (BOVINE SPONGIFORM ENCEPHALOPATHY) (No. 3) ORDER, 1996.

I, Ivan Yates, Minister for Agriculture, Food and Forestry, in exercise of the powers conferred on me by sections 3 of the Diseases of Animals Act, 1966 (No. 6 of 1966), as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister) Order, 1993 (S.I. No. 11 of 1993), hereby order as follows:

1. (1) This Order may be cited as the Diseases of Animals (Bovine Spongiform Encephalopathy) (No. 3) Order, 1996.

(2) This Order shall come into operation on the first day of January, 1997.

(3) The collective citation "the Diseases of Animals (Bovine Spongiform Encephalopathy) Orders, 1989 to 1996" shall include this Order.

2. In this Order-

"the Act" means the Diseases of Animals Act, 1966 (No. 6 of 1966);

"authorised officer" means a person who, for the time being, stands appointed under Article 12 of the Diseases of Animals (Bovine Spongiform Encephalopathy) (No. 2) Order, 1996 (S.I. No. 278 of 1996);

"feedingstuff" includes any straight or compound feedingstuff intended for feeding to animals or poultry;

"mammalian meat and bone meal" means mammalian protein derived from the whole or part of any dead mammal by a process involving crushing, cooking or grinding;

"protein" means any proteinaceous material which is derived from a carcase but does not include -

(a) milk or any milk product,

(b) dicalcium bone phosphate,

(c) dried plasma or any other blood product,

(d) gelatin, or

(e) amino acids produced from hides and skins by a process which involves exposure of the material to acid of a pH lower than 2 followed by alkali of a pH greater than 11 and heat treatment at a minimum of 140°C for 30 minutes at a pressure of 3 bar;

"sell" includes offer, expose or keep for sale, invite an offer to buy, or distribute (whether for reward or not) and cognate words shall be construed accordingly.

3. A person shall not sell or supply for sale any feedingstuff containing mammalian meat and bone meal unless the package, container, label or accompanying document bears in legible form the words "This product contains mammalian meat and bone meal; it is illegal to feed to cattle, sheep, goats or deer."

4. Article 3 of this Order shall not apply to —

(a) feedingstuffs intended for feeding to cats, dogs and all other canine and feline animals;

(b) feedingstuffs manufactured before the first day of January, 1997.

5. (1) An inspector, authorised officer or member of the Garda Síochána may, for the purposes of this Order, exercise all or any of the powers conferred on him by the Diseases of Animals (Bovine Spongiform Encephalopathy) (No. 2) Order, 1996.

(2) An authorised officer or inspector, when exercising any power conferred on him for the purposes of this Order, shall, if so requested by any person affected, produce evidence in writing of his appointment as an authorised officer under the Diseases of Animals (Bovine Spongiform Encephalopathy) (No. 2) Order, 1996 or inspector.

(3) A member of the Garda Síochána, not in uniform, when exercising any such power, shall, if so requested by any person affected, produce evidence in writing that he is such a member.

6. This Order is in addition to, and not in substitution for, the Diseases of Animals (Bovine Spongiform Encephalopathy) (No. 2) Order, 1996.

GIVEN under my Official Seal, this 20th day of December, 1996.

Ivan Yates,

Minister for Agriculture, Food and Forestry.

EXPLANATORY NOTE

This Order introduces labelling requirements in respect of feedingstuffs intended for feeding to animals or poultry (with the exception feedingstuffs for cats and dogs) which contain mammalian meat and bone meal.