

2009 No. 229

ANIMALS

ANIMAL HEALTH

**The Products of Animal Origin (Disease Control) (Amendment)
Regulations (Northern Ireland) 2009**

Made - - - -

10th June 2009

Coming into operation -

1st July 2009

The Department of Agriculture and Rural Development, being designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community, makes the following Regulations in exercise of the powers conferred on it by that section.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Products of Animal Origin (Disease Control) (Amendment) Regulations (Northern Ireland) 2009 and come into operation on 1st July 2009.

(2) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment to the Products of Animal Origin (Disease Control) Regulations (Northern Ireland) 2008

2. The Products of Animal Origin (Disease Control) Regulations (Northern Ireland) 2008(d) are amended in accordance with regulations 3 to 15.

3. In regulation 2 (Interpretation)—

(a) insert, after the definition of “disease legislation”—

““domestic market” is the market for the sale of poultry meat in England, Scotland, Wales and Northern Ireland;”;

(b) omit the definition of “relevant date”;

(c) before the definition of “slaughter” insert—

““seropositive pig” means a pig that is not a restricted animal but is required by the Department to be slaughtered in a slaughterhouse due to antibodies against swine vesicular disease virus being identified in that pig;

“seropositive pig meat” is meat derived from a seropositive pig which—

(a) S.I. 2000/2812
(b) 1972 c. 68
(c) 1954 c.33 (N.I.)
(d) S.R. 2008 No. 431

- (a) is not restricted meat, and
 - (b) has not been treated in accordance with Schedule 2 at a designated treatment centre;”.
 - (d) In the definition of “inspector” after the word “Department” insert “ or District Council”
 - (e) In the definition of “occupier” for the words “the occupier” substitute “the person in charge”.
4. In regulation 3 (Restricted animal, restricted poultry and restricted meat: definitions)—
- (a) for paragraph (8) substitute—
 - “(8) Subject to paragraph (9) “restricted meat” is meat—
 - (a) produced on or after the date that the protection zone or surveillance zone was declared, or an earlier date where the Department specifies such a date for the purpose of disease control;
 - (b) from a restricted animal or restricted poultry from an infected area, a protection zone or a surveillance zone; and
 - (c) includes meat that has come into contact with such meat.”;
 - (b) after paragraph (8) insert—
 - “(9) Where restricted meat has been treated in accordance with Schedule 2 at a treatment centre it ceases to be regarded as restricted meat.”.
5. In regulation 5(3) for the words “National Assembly for Wales” substitute “Welsh Ministers”.
6. In regulation 9 (Slaughterhouses)—
- (a) in paragraph (1) after the word “animals” insert “, seropositive pigs”;
 - (b) in paragraph (2) after sub-paragraph (f) omit the full stop and insert—
 - “(g) seropositive pigs are kept separately from other pigs; and
 - (h) seropositive pigs are slaughtered separately from other pigs.”;
 - (c) after paragraph (5) insert—
 - “(6) Where the occupier of a slaughterhouse has not complied with the requirements of paragraph (2)(g) or (2)(h) on being given notice by a veterinary inspector, those other pigs must be dealt with by the occupier as seropositive pigs.
 - (7) The occupier of a slaughterhouse may only receive restricted animals if it is a designated slaughterhouse”.
7. In regulation 11 (Receipt and possession of restricted meat) —
- (a) in paragraph (1) omit the two references to the words “or establishment” on both occasions they occur;
 - (b) after paragraph (2) insert—
 - “(3) Paragraph (1) does not apply when the restricted meat is from restricted poultry intended only for supply on the domestic market.”.
8. In regulation 12 (Marking of meat from restricted animals) in paragraphs (1), (2) and (3) after the word “meat” in each of those paragraphs insert “or seropositive pig meat”.
9. For regulation 13 (Movement of restricted meat) substitute—
- “13.—(1) A person shall not transport or arrange for the transport of restricted meat to premises or an establishment unless those premises or that establishment is designated.
 - (2) Paragraph (1) does not apply when the restricted meat is from restricted poultry intended only for supply on the domestic market.”.

- 10. In regulation 14 (Prohibition on supply and export of meat)—**
- (a) in paragraph (1)—
 - (i) omit the word “or” immediately preceding sub-paragraph (b);
 - (ii) at the end of sub-paragraph (b), omit the full stop and add—
 - “; or
 - (c) export seropositive pig meat.”;
 - (b) for paragraph (2) substitute—
 - “(2) The prohibition in paragraph 1(a) does not apply to restricted meat from restricted poultry intended for supply on the domestic market.”
 - (c) omit paragraph (3).
- 11. In regulation 16 (Record keeping)—**
- (a) in paragraph (1) after the word “animal” insert “, seropositive pig”;
 - (b) for paragraph (1)(a) substitute—
 - “(a) the number and type of restricted animals, seropositive pigs or restricted poultry slaughtered;”;
 - (c) in paragraph (2) after “restricted meat” insert “or seropositive pig meat”;
 - (d) in sub-paragraphs (2)(a) and (c) for the word “restricted” substitute “such”;
 - (e) in sub-paragraph (2)(b) replace the words “the meat” with the words “any restricted meat”;
 - (f) for sub-paragraph (e) substitute—
 - “(e) the quantity of such meat that is no longer intended for human consumption.”;
 - (g) after paragraph (2) insert—
 - “(2A) Paragraph (2) does not apply to any wholesale distributor, retail distributor, retailer or consumer when—
 - (a) the restricted meat is from restricted poultry intended only for supply on the domestic market; or
 - (b) the meat is seropositive pig meat.”.
- 12. In regulation 19 (Meat from suspect or infected premises) insert after paragraph (3)—**
- “(4) In this regulation “relevant date” means the date the suspect premises or infected premises became subject to disease restrictions, or any earlier date where the Department specifies such a date for disease control purposes.”.
- 13. In regulation 21(1) for the word “executing” substitute “enforcing”.**
- 14. For Regulation 25 (Offences) substitute—**
- “**25.** A person is guilty of an offence if that person—
 - (a) without reasonable cause, that person contravenes these Regulations;
 - (b) intentionally obstructs any person enforcing these Regulations;
 - (c) intentionally provides false or misleading information to any person enforcing these Regulations; or
 - (d) intentionally fails to provide a record when required to do so by any person enforcing these Regulations.”
- 15. In Schedule 3 (Special identification mark) insert after paragraph (3)—**
- “**3A.** Seropositive pig meat must contain an identification mark such that the numbering and lettering are set within a circle which is legible, indelible with characters that are

decipherable and include the capital letters “UK” followed by the approval number of the establishment”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 10th June 2009.



C. McMaster

A senior officer of the Department of Agriculture and Rural Development

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Products of Animal Origin (Disease Control) Regulations (Northern Ireland) 2008 (S.R. 2008 No. 431) ('the 2008 regulations') to implement requirements in section 4(d) of Annex II of Council Directive 92/119/EEC in respect of any meat from pigs with antibodies against swine vesicular disease in which disease has not been confirmed but which the Department has required to be slaughtered. Those pigs may only be slaughtered in a designated slaughterhouse and they must, whilst there, be kept separate from other pigs (regulation 6). The meat from the seropositive pigs cannot be exported (regulation 10(a)). This is ensured by marking and record keeping requirements in respect of the meat (regulations 8 and 11 respectively).

These Regulations also amend the 2008 Regulations in respect of restricted meat from restricted poultry intended for supply on the domestic market to:

- (a) Remove the requirement on a supplier of such poultry meat to know, in order to avoid the supply prohibition, how others in the supply chain have handled the relevant restricted animals and meat (regulation 10(b));
- (b) Remove offences of receiving such poultry meat at an undesignated place (regulation 7);
- (c) Remove offences of transporting restricted poultry meat to an undesignated place (regulation 9); and
- (d) Provide a new circular mark for placing on seropositive pig meat in an amendment to Schedule 3.

The 2008 Regulations are amended to exclude certain persons from record keeping requirements (regulation 11).

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