
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations give effect to Council Decision [98/256/EC](#) on emergency measures to protect against bovine spongiform encephalopathy, in relation to the despatch to other member States and third countries of bovine animals and embryos and meat and other products from bovine animals. The Regulations revoke and replace the Bovines and Bovine Products (Despatch Prohibition and Production Restriction) Regulations (Northern Ireland) 1997. The principle changes of substance are that the Regulations—

- (a) make provision for derogations from the prohibition on the export of meat and meat products which are eligible under the Export Certified Herds Scheme;
- (b) revise the conditions for the export of meat products and by-products produced in Northern Ireland from imported beef; and
- (c) make further provision in relation to the existing controls on products and by-products produced from United Kingdom slaughtered bovine animals.

Regulation 3(1) prohibits the despatch from Northern Ireland to another member State or a third country of bovine animals or bovine embryos, meat meal, bone meal or meat and bone meal derived from mammals. Regulation 3(2) provides that the prohibitions do not apply in respect of food for domestic carnivores containing mammalian meat meal, bone meal and meat and bone meal originating outside the United Kingdom which has been prepared in accordance with the requirements of the Regulations applicable to the preparation of that food.

Regulation 3(3) prohibits, subject to exceptions, the despatch from Northern Ireland to a member State or third country of meat derived from bovine animals slaughtered in the United Kingdom or products obtained from such animals which are liable to enter the human food or animal feed chains, or material derived from animals slaughtered in the United Kingdom which is destined for use in cosmetic products, medical products or pharmaceutical products. Regulations 3(4) to (6) and 4 make provision in relation to the despatch of “controlled bovine by-products” (as defined) and the registration of establishments used for their production. Regulations 3(7) and 7 make provision for the export of those “eligible goods” (as defined) which satisfy the requirements of the Council Decision.

Regulations 3(8) and 8 make provision in relation to the despatch from Northern Ireland of “relevant goods” (as defined) and the approval of establishments used for their production.

Regulation 5(1) and (2) prohibits the production of gelatin or collagen for the human food or animal feed chain or for cosmetic, pharmaceutical or medical use unless it is produced from animals slaughtered outside the United Kingdom and in premises registered for the production of controlled bovine by-products.

Regulation 5(3) prohibits the consignment of material containing bovine vertebral column to establishments registered under regulation 4(2). Regulation 5(4) contains prohibitions in relation to the despatch to another member State or third country of imported fresh meat, and its consignment and movement for that purpose without an official veterinary certificate. Regulation 5(5) provide prohibitions in relation to the despatch, consignment and movement of imported products and by-products referred to in Article 8(e) of the Council Decision without the label or an accompanying documentary indication of the establishment where they were manufactured. Regulation 5(6) prohibits the placing on the market in Northern Ireland of fresh meat, minced meat and meat preparations or meat products which bear or are labelled with an additional mark.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulation 9 enables the Department to charge fees in respect of costs reasonably incurred by it in connection with the registration or approval of certain establishments, the control exercised in relation to those establishments by veterinary surgeons appointed by it and the issue of health certificates.

Regulation 10 confers on inspectors and customs officers powers to stop and search vehicles and vessels reasonably suspected or carrying goods the despatch of which to other member States or third countries is prohibited. Regulation 11 provides powers of entry to premises. Regulation 12 provides powers to seize goods. It makes provision for the destruction of goods, the despatch of which to other member States or third countries, is prohibited, where a justice of the peace is satisfied there is a risk of despatch to another member State or third country. Regulation 14 confers power on customs officers to detain vehicles and vessels. Regulation 15 makes provision for suspension notices and orders, suspending the use of business premises for the receipt or despatch of certain goods. Regulations 16 and 17 make provision for offences and penalties and for the punishment of obstruction.