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STATUTORY RULES OF NORTHERN IRELAND

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**2001 No. 378**

**ANIMALS**

**Rendering (Fluid Treatment) Order (Northern Ireland) 2001**

*Made* - - - - *16th October 2001*

*Coming into operation* *6th November 2001*

The Department of Agriculture and Rural Development<sup>(1)</sup>, in exercise of the powers conferred on it by Articles 5(1)(j), 44 and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981<sup>(2)</sup>, and of every other power enabling it in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Rendering (Fluid Treatment) Order (Northern Ireland) 2001 and shall come into operation on 6th November 2001.

**Interpretation**

2. In this Order—

“animal by-product” means—

(a) animal by-product as defined in the Animal By-Products Regulations (Northern Ireland) 1993<sup>(3)</sup>; or

(b) specified risk material as defined in the Specified Risk Material Regulations (Northern Ireland) 1997<sup>(4)</sup>;

“fluid” includes any liquid, and any property of, or any organism or substance contained in, any liquid;

“ruminant related fluid” means fluid arising in relation to the rendering of ruminant animal by-products from premises at which such rendering is carried out and includes fluid a constituent part of which is ruminant related fluid;

“rendering” has the same meaning as it has for the purposes of the Animal By-Products Regulations (Northern Ireland) 1993; and

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(1) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I. 1) Article 3(4)

(2) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Article 17 and S.I. 1994/1891 (N.I. 6) Article 23(1)

(3) S.R. 1993 No. 192 as amended by S.R. 1998 No. 108

(4) S.R. 1997 No. 552 as amended by S.R. 1999 No. 157, S.R. 1999 No. 431, S.R. 2000 No. 295, S.R. 2001 No. 48 and S.R. 2001 No. 196

“underground strata” and “waterway” have the same meaning as for the purposes of the Water (Northern Ireland) Order 1999<sup>(5)</sup>.

### **Rendering of ruminant animal by-products and treatment and discharge of ruminant related fluid**

3. A person shall not render any ruminant animal by-product on any premises unless—
- (a) he subjects all the ruminant related fluid arising to such treatment on the premises as will ensure the fluid has—
    - (i) a biological oxygen demand of no more than 60mg/l; and
    - (ii) a level of suspended solids of no more than 80mg/l; or
  - (b) he discharges, releases, disposes of or consigns for disposal any ruminant related material arising—
    - (i) into a public sewer in accordance with a trade effluent consent or agreement from the relevant sewerage undertaker under the Water and Sewerage Services (Northern Ireland) Order 1973<sup>(6)</sup>; or
    - (ii) into a waterway or water contained in underground strata in accordance with a discharge consent given for the purposes of Article 9 of the Water (Northern Ireland) Order 1991.

### **Testing of ruminant related fluid**

- 4.—(1) Following such treatment as provided for in Article 3(a) the renderer shall ensure that the treated fluid is tested with the following frequency—
- (a) the biochemical oxygen demand to be tested once per week by a method which conforms with the 5 day Biochemical Oxygen Demand (BOD5)<sup>(7)</sup>; and
  - (b) the level of suspended solids to be—
    - (i) tested 3 times every day or continuously monitored; and
    - (ii) tested once each week by a method which conforms with “Suspended Settable and Total Dissolved Solids in Waters and Effluents”<sup>(8)</sup>.
- (2) For the purpose of paragraph (1) the point of testing shall be immediately prior to the discharge, release, disposal or consignment for disposal of the ruminant related fluid from the premises on which it arises.

### **Records**

- 5.—(1) Any person who renders any ruminant related by-product on any premises, shall keep a record of the discharge, release, disposal or consignment for disposal of the ruminant related fluid arising.
- (2) For this purpose the record shall show—
- (a) in respect of fluid treated for the purpose of Article 3(a), the date and results of the tests referred to in Article 4; and
  - (b) in respect of treated and untreated fluid—

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(5) S.I. 1999/662 (N.I. 6)

(6) S.I. 1973/70 (N.I. 2)

(7) Second Edition 1988 ISBN 0117522120

(8) ISBN 011751957X Methods for the Examination of Waters and Associated Materials HMSO 1980

- (i) the date and the method of the discharge, release, disposal or consignment concerned;
  - (ii) the quantity of the ruminant related fluid concerned and a description of it sufficient to enable an inspector to identify it;
  - (iii) the place of discharge, release, disposal or premises from which, and destination to which, it is consigned or carried; and
  - (iv) if consigned or carried, the name of the consignee or carrier transporting it.
- (3) A record required to be kept under paragraph (1) shall be kept by the renderer for at least 10 years.
- (4) Any person who consigns any ruminant related fluid for carriage from any premises for discharge, release or disposal shall give to the carrier a record containing the following information—
- (a) the address of the premises from which the fluid is collected;
  - (b) the date on which the fluid is collected;
  - (c) the quantity and description of the fluid, and whether treated or untreated; and
  - (d) the place to which it is to be discharged, released or disposed of.
- (5) A carrier receiving a record under paragraph (4) shall keep it for at least 2 years.

### **Cleansing and disinfection**

- 6.—(1) This Article applies where an inspector has reasonable grounds to suspect that any—
- (a) ruminant related fluid; or
  - (b) means of movement, including any vehicle or any container or pipe, by, in or through which, any ruminant related fluid is discharged, released, disposed of or carried from any premises to any place constitutes a disease risk.
- (2) Where an inspector has such a suspicion in respect of any ruminant related fluid or means of movement, he may serve a notice on the person in charge of the ruminant related fluid or means of movement.
- (3) The notice may—
- (a) specify the method of cleansing and disinfection of any means of movement concerned;
  - (b) specify the method of disposal of any ruminant related fluid, or any fluid or any material or liquid other than such fluid, remaining in the means of movement by, in or through which, the ruminant related fluid was discharged, released, disposed of or carried;
  - (c) prohibit the use of such means of movement of the ruminant related fluid until an inspector is satisfied that the required cleansing and disinfection has satisfactorily been carried out; and
  - (d) require compliance with any provision of this Order within such reasonable period as may be specified in the notice.

### **Powers of inspectors**

- 7.—(1) An inspector who enters any premises in exercise of his powers under the Diseases of Animals (Northern Ireland) Order 1981 shall—
- (a) carry out any inquires, examinations and tests;
  - (b) take any samples; and
  - (c) examine and copy any records,

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he believes are necessary to ascertain whether the provisions of this Order have been or are being complied with.

(2) An inspector may mark anything in relation to which any of the powers in paragraph (1) have been exercised.

(3) A person shall not deface, or attempt to deface, obliterate or remove any such mark as is referred to in paragraph (2).

(4) The occupier of any premises, or any person in his employment, shall give such reasonable assistance to an inspector as the inspector may require for the purpose of facilitating the exercise of his powers under paragraphs (1) and (2) and, in particular, shall provide a printout of any records kept in electronic form.

### **Compliance with notices**

**8.** Any notice served under Article 6(2) shall be complied with at the expense of the person on whom the notice is served and if it is not complied with, an inspector may arrange for it to be complied with.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 16th October 2001.

L.S.

*R. S. Johnston*  
A senior officer of the  
Department of Agriculture and Rural  
Development

## **EXPLANATORY NOTE**

*(This note is not part of the Order.)*

This Order prohibits the spreading of untreated ruminant condensate on land.

Article 2 of the Order defines ruminant related fluid and Article 3 makes provision in relation to the rendering of animal products and the treatment and discharge of ruminant related fluid. Article 4 makes provision in relation to the testing of treated ruminant related fluid.

Article 5 imposes record keeping requirements and Article 6 imposes requirements in relation to cleansing and disinfection. Article 7 makes provision in relation to powers of inspectors and Article 8 makes provision in relation to compliance with notices.