
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 231

**The Beef and Pig Carcase Classification
Regulations (Northern Ireland) 2010**

PART 3

BOVINE CARCASES

Application of these Regulations to small-scale bovine operators

5.—(1) A small-scale bovine operator is not required to classify bovine carcases.

(2) These Regulations do not apply to a small-scale bovine operator which does not classify bovine carcases.

(3) But if a small-scale bovine operator chooses to classify bovine carcases, these Regulations apply in relation to that operator and the classification of those carcases.

(4) In paragraphs (2) and (3), “classify” means classify in accordance with the European beef provisions or otherwise than in accordance with those provisions, and “classification” is to be construed accordingly.

(5) In this regulation, “small-scale bovine operator” means an operator of an approved slaughterhouse at which not more than 75 adult bovine animals per week as an annual average are slaughtered.

(6) Nothing in this regulation prevents the application of these Regulations to an operator in relation to pig carcases if pigs are also slaughtered in that operator’s slaughterhouse.

Competent authority etc.: bovine carcases

6.—(1) The Department is the competent authority for the purposes of—

- (a) Article 9 of the Commission Regulation (authorisation of automated grading techniques),
- (b) Article 10(2)(b) of the Commission Regulation (classification by automated grading techniques); and
- (c) Article 16 of the Commission Regulation (reporting of weekly prices to the competent authority and calculation of weekly prices).

(2) The Department is responsible for on-the-spot checks as described in Article 11 of the Commission Regulation.

Labelling instead of marking

7. Subject to—

- (a) the final paragraph of Article 6(4) of the Commission Regulation;

- (b) Article 4(3)(c) of [Commission Regulation \(EC\) No. 1669/2006](#)⁽¹⁾ laying down detailed rules for the application of Council Regulation (EC) No. 1254/1999 as regards the buying-in of beef⁽²⁾; and
- (c) point I(a) of Annex I to [Commission Regulation \(EC\) No. 826/2008](#) laying down common rules for the granting of private storage aid for certain agricultural products⁽³⁾,

an operator may, instead of marking a bovine carcass in accordance with Article 6(3) of the Commission Regulation, label it in accordance with Article 6(4) of that Regulation.

Licence to carry out classification

8.—(1) The Department must grant a licence to carry out classification of bovine carcasses to any person who applies for such a licence and who appears to the Department to be qualified to carry out classification, but the Department may refuse to grant such a licence if the Department is satisfied that the applicant is not a fit and proper person to carry out classification of bovine carcasses.

(2) In addition to the power to revoke a licence in the circumstances mentioned in Article 12(2) of the Commission Regulation (incorrect classifications or identifications), the Department may suspend or revoke a licence granted to a person under this regulation—

- (a) if the person has contravened any of the terms and conditions of that licence; or
- (b) if the Department is satisfied that the person holding that licence is no longer a fit and proper person to carry out classification of bovine carcasses.

(3) Where the Department takes any decision in relation to a licence under this regulation which gives rise to a right of appeal under regulation 10, the Department must inform the person concerned of the right of appeal.

Licence for automated grading

9.—(1) The Department may grant, to the operator of an approved slaughterhouse, a licence authorising the use of automated grading equipment for classification of bovine carcasses at that slaughterhouse.

(2) In addition to the power to revoke a licence in the circumstances mentioned in Article 12(2) of the Commission Regulation, the Department may suspend or revoke a licence granted to an operator under this regulation—

- (a) if the operator has contravened any of the terms or conditions of that licence; or
- (b) if the Department considers that the automated grading equipment no longer meets the standards required by Article 9 of, and Annex II to, the Commission Regulation, whether for reasons connected with the equipment itself or with the operator's manner of use of the equipment.

(3) Where the Department takes any decision in relation to a licence under this regulation which gives rise to a right of appeal under regulation 10, the Department must inform the person concerned of the right of appeal.

Appeals regarding licences

10.—(1) A person may, within 21 days of the notification of a decision to which this regulation applies, appeal against that decision to a magistrates' court.

(2) A specified decision for the purpose of paragraph (1) is a decision by the Department to—

(1) O.J. No. L 312, 11.11.2006, p. 6, to which there are amendments not relevant to these Regulations
(2) O.J. No. L 160, 26.6.1999, p. 21, to which there are amendments not relevant to these Regulations
(3) O.J. No. L 223, 21.8.2008, p. 3, to which there are amendments not relevant to these Regulations

- (a) refuse an application by that person for a licence under regulation 8 or 9;
- (b) impose a term or condition in a licence granted to that person under regulation 8 or 9; or
- (c) suspend or revoke a licence granted to that person under regulation 8 or 9.

(3) The procedure is by way of complaint for an order, and the Magistrates' Courts (Northern Ireland) Order 1981(4) applies to the proceedings.

(4) On an appeal the court may either cancel or affirm the decision and, if the court affirms the decision, it may do so either in its original form or with such modifications as the court thinks fit.

Records: bovine carcasses

11.—(1) An operator of an approved slaughterhouse must keep a record of the particulars specified in Schedule 3 relating to each bovine carcass which is classified in that slaughterhouse.

(2) The operator must retain each record for a period of 12 months from the end of the calendar year to which the record relates.

Classifications by an approved body

12.—(1) An approved body may, under an agreement with the occupier, carry out the classification requirements in respect of bovine carcasses at an approved slaughterhouse occupied by him.

(2) Where an agreement is made under paragraph (1) the approved body shall immediately give written notice to the Department of that agreement.

(3) The approved body shall as soon as is reasonably practicable after carrying out classification requirements provide the occupier with the particulars specified in paragraphs 1, 3 and 5 of Schedule 3 and any other details relating to those classification requirements as the occupier may reasonably require so as to enable him to give the prescribed communication and to comply with regulation 11.

(4) Where the approved body suspends or revokes an agreement under paragraph (1), it shall immediately give written notice to the occupier and the Department of that fact.

(5) Where the occupier suspends or revokes an agreement under paragraph (1), he shall immediately give written notice to the approved body and the Department of that fact.