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STATUTORY RULES OF NORTHERN IRELAND

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**2011 No. 124**

**The Animal By-Products (Enforcement)  
Regulations (Northern Ireland) 2011**

**PART II**

**THE COMPETENT AUTHORITY AND MISCELLANEOUS PROVISIONS**

**The competent authority**

**3.** The Department is the competent authority for the purposes of the EU Control Regulation and the EU Implementing Regulation except as otherwise specified in these Regulations.

**Access in relation to prohibitions in Article 11(1)(a), (b) or (d) of the EU Control Regulation**

**4.** In relation to a prohibition on feeding in Article 11(1)(a), (b) or (d) of the EU Control Regulation, the requirements of regulations 5 and 6 apply.

**5.—(1)** Animal by-products, including catering waste, shall not be brought on to any premises where farmed animals have access to the animal by-products.

**(2)** Paragraph (1) does not apply to derived products, except for—

- (a)** products derived from catering waste; or
- (b)** meat and bone meal derived from Category 2 material and processed animal proteins intended to be used as or in organic fertilisers and soil improvers that do not comply with the requirements of Article 32(1)(d) (placing on the market and use) of the EU Control Regulation.

**6.** A carcase or part of a carcase of any farmed animal that has not been slaughtered for human consumption shall be held, pending consignment or disposal, in accordance with the EU Control Regulation as read with the EU Implementing Regulation, in such manner as to ensure that any animal or bird will not have access to it.

**Use of organic fertilisers and soil improvers and additional waiting period for pigs in relation to the prohibition in Article 11(1)(c) of the EU Control Regulation**

**7.—(1)** In accordance with Article 32(1) of the EU Control Regulation, the application of organic fertilisers or soil improvers to land is prohibited where, during the period of 60 days from the application of such products, it is intended that pigs will—

- (a)** have access for grazing to such land; or
- (b)** be fed cut herbage from such land.

**(2)** Where organic fertilisers or soil improvers have been applied to land, in addition to the minimum waiting period that applies to farmed animals, pigs are prohibited during the additional waiting period, (resulting in a total period of 60 days from such application) from—

- (a) having access to such land; or
  - (b) being fed cut herbage from such land.
- (3) Paragraphs (1) and (2) do not apply to the following organic fertilisers or soil improvers—
- (a) manure;
  - (b) milk;
  - (c) milk-based products;
  - (d) milk derived products;
  - (e) colostrum;
  - (f) colostrum products;
  - (g) digestive tract content.
- (4) In this regulation—
- (a) “the minimum waiting period” is the period of 21 days commencing from the date of application of organic fertilisers or soil improvers to land as provided in Article 11(1)(c) of the EU Control Regulation, as read with Article 5(2) of, and Chapter 2 of Annex 2 to, the EU Implementing Regulation;
  - (b) “the additional waiting period” is the period of 39 days commencing on the expiration of the minimum waiting period.

#### **Collection centres for feeding in relation to Article 18(1) of the EU Control Regulation**

8. In relation to Article 18(1) of the EU Control Regulation, and in accordance with Article 13 of the EU Implementing Regulation as read with paragraph 3 of Section 1 of Chapter 2 Annex 6 to that Regulation, a processing plant for Category 2 material is authorised as a collection centre for Category 2 material for the purposes of Article 18(1) of the EU Control Regulation on condition that it is approved for that purpose under Article 24 of the EU Control Regulation.

#### **Remote areas for the purposes of Article 19(1)(b) of the EU Control Regulation**

9. For the purposes of applying Article 19(1)(b) of the EU Control Regulation—
- (a) the Copeland Islands; and
  - (b) Rathlin Island

are categorised as remote areas.

#### **Placing on the market in relation to Article 36 of the EU Control Regulation**

10. In relation to Article 36 of the EU Control Regulation, and in accordance with Article 24(4) of the EU Implementing Regulation as read with point B of Chapter 7 to Annex 13 of that Regulation, the placing on the market of untreated wool and hair from farms or from establishments or plants is authorised without restrictions except where they present a risk of any disease communicable through those products to humans or animals.