
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 216

**The Carcase Classification and Price
Reporting Regulations (Northern Ireland) 2018**

PART 3

BOVINE CARCASSES

Application of these Regulations to small-scale bovine operators

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

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

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

(4) In this regulation, “small-scale bovine operator” means an operator of an approved slaughterhouse at which fewer than 150 adult bovine animals per week as an annual average are slaughtered.

(5) Any small-scale bovine operator who, until the coming into operation of these Regulations, was required to classify bovine carcasses under the 2010 Regulations shall not by that reason alone be deemed to have chosen to do so for the purposes of paragraph (3).

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

Competent authority: bovine carcasses

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

- (a) Article 12(2)(b) of the Commission Delegated Regulation (additional provisions on classification by automated grading techniques);
- (b) Articles 13 and 14 of the Commission Delegated Regulation and Articles 13(2) and 14 of the Commission Implementing Regulation (reporting of market prices and calculation of weekly market prices and average price per class);
- (c) Article 17(2) of the Commission Delegated Regulation (supplementary provisions for reporting of market prices for carcasses);
- (d) Article 4(1) of the Commission Implementing Regulation (making and keeping reports for on-the-spot checks).

(2) The Department is responsible for –

- (a) the authorisation of automated grading methods for beef carcasses as described in Article 10 of the Commission Delegated Regulation;
- (b) notifications to the Commission as described in Article 25 of the Commission delegated Regulation;

- (c) on-the-spot checks as described in Articles 2 and 3 of the Commission Implementing Regulation.

Records instead of marking

8. An operator or the person responsible for the classification of bovine carcasses may, instead of marking a carcass in accordance with the European beef provisions set out in Part 2 of Schedule 1, draw up a record for that carcass which comprises at least—

- (a) the individual identification of the carcass by any unalterable means;
- (b) the warm weight of the carcass; and
- (c) the result of the classification.

Licence to carry out classification

9.—(1) The Department may grant a licence to carry out visual classification of bovine carcasses to any person who appears to the Department to be qualified to carry out the classification, if the Department is satisfied that the applicant is a fit and proper person to carry out classification of bovine carcasses.

(2) The licence may be made subject to such terms and conditions as the Department considers necessary for the purposes of paragraph (1).

(3) In addition to the power to revoke a licence in the circumstances mentioned in Article 4(2) of the Commission Implementing Regulation (incorrect classification, presentations or identifications), the Department may suspend or revoke a licence granted to a person under this regulation if—

- (a) the person has contravened any of the terms or conditions of that licence; or
- (b) 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.

(4) Where the Department takes any decision in relation to a licence under this regulation which gives rise to a right to appeal under regulation 11, the Department must—

- (a) inform the person of the decision in writing;
- (b) give the reasons; and
- (c) explain that there is a right of appeal to a magistrates' court.

Licence for automated grading

10.—(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, if the Department is satisfied on the application of the operator for such a licence that the equipment and the manner of its operation would meet the standards required by Article 9(b) and 10(2) (read with Part A of Annex IV) of the Commission Delegated Regulation.

(2) The licence may be made subject to such terms and conditions as are necessary to ensure compliance with those standards.

(3) In addition to the power to revoke a licence in the circumstances mentioned in Article 4(2) of the Commission Implementing Regulation (incorrect classification, presentations or identifications), the Department may suspend or revoke a licence granted to an operator under this regulation if—

- (a) the operator has contravened any of the terms or conditions of the licence; or
- (b) the Department considers that the automated grading equipment no longer meets the standards required by the Commission Delegated Regulation, whether for reasons

connected with the equipment itself or with the operator's manner of operation of the equipment.

(4) Where the Department takes any decision in relation to a licence under this regulation which gives rise to a right to appeal under regulation 11, the Department must—

- (a) inform the person of the decision in writing;
- (b) give the reasons; and
- (c) explain that there is a right of appeal to a magistrates' court.

Appeals regarding licences

11.—(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—

- (a) refuse an application by that person for a licence under regulation 9 or 10;
- (b) impose a term or condition in a licence granted to that person under regulation 9 or 10; or
- (c) suspend or revoke a licence granted to that person under regulation 9 or 10.

(3) The procedure is by way of a complaint for an order, and the Magistrates' Courts (Northern Ireland) Order 1981 (1) 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

12.—(1) An operator of an approved slaughterhouse must keep a record of the particulars specified in Schedule 3 relating to each bovine carcase 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.