
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 330

**The Beef and Pig Carcase Classification
(Scotland) Regulations 2010**

PART 1

GENERAL PROVISIONS

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Beef and Pig Carcase Classification (Scotland) Regulations 2010.

(2) These Regulations come into force on 9th October 2010.

(3) These Regulations extend to Scotland only.

Interpretation

2.—(1) In these Regulations—

“the 1994 Regulations” means the Pig Carcase (Grading) Regulations 1994 ^{M1};

“the 2004 Regulations” means the Beef Carcase (Classification) (Scotland) Regulations 2004 ^{M2};

“adult bovine animal” means a bovine animal [^{F1}aged eight months or more];

“approved slaughterhouse” means an establishment used for slaughtering and dressing adult bovine animals or pigs, the meat of which is intended for human consumption, and which—

(a) is approved or conditionally approved under Article 31(2) of Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ^{M3}; or

(b) (although lacking the approval or conditional approval that it requires under Article 4(3) of Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin ^{M4}) was, on 31st December 2005, operating as a licensed slaughterhouse under the Fresh Meat (Hygiene and Inspection) Regulations 1995 ^{M5};

“authorised officer” means a person authorised by the Scottish Ministers for the purposes of these Regulations, but does not include a person appointed for the purpose of carrying out a review under regulation 10;

“bovine carcase” means a carcase or half-carcase of a slaughtered adult bovine animal bearing a health mark [^{F2}as defined in Article 3(51) of the Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of feed and food law, rules on animal health and welfare, plant health and plant protection products]; and in this definition, “carcase” means the whole body as presented

after bleeding, evisceration and skinning, and “half-carcase” means the product obtained by separating such a carcase symmetrically through the middle of each cervical, dorsal, lumbar and sacral vertebra and through the middle of the sternum and the ischiopubic symphysis;

“classification” except as otherwise indicated in regulation 5, means—

- (a) the classification of bovine carcasses in accordance with the [^{F3}retained EU beef] provisions; or
- (b) the classification of pig carcasses in accordance with the [^{F4}retained EU pig] provisions, as the case may be, and cognate terms are to be construed accordingly;

“clean pig” means a pig which has not been used for breeding;

[^{F5}“Commission Delegated Regulation” means Commission Delegated Regulation (EU) 2017/1182 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig, and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals, as amended from time to time;]

[^{F6}“Commission Implementing Regulation” means Commission Implementing Regulation (EU) 2017/1184 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals, as amended from time to time;]

[^{F7}“Council Regulation” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time;]

“operator” means a person carrying on the business of an approved slaughterhouse;

“pig carcase” means the body of a slaughtered clean pig, bled and eviscerated, whole or divided down the mid-line; ^{F8} ...

“prescribed communication” means a communication of the results of classification as required by [^{F9}Article 1(1) of the Commission Implementing Regulation (communication of classification results); and]

[^{F10}“qualified personnel” means persons who are using a grading technique provided for in Article 11 of the Commission Delegated Regulation and who are proficient in the use of that grading technique.]

“[^{F3}retained EU beef] provision” means a provision which is specified in column 1 of Schedule 1, the subject matter of which is described in column 2 of that Schedule;

“[^{F4}retained EU pig] provision” means a provision which is specified in column 1 of Schedule 2, the subject matter of which is described in column 2 of that Schedule;

(2) Other terms used in these Regulations that are also used in the [^{F11}Commission Delegated Regulation, the Commission Implementing Regulation] or the Council Regulation have the meaning they bear in those Regulations.

Textual Amendments

- F1** Words in reg. 2(1) substituted (11.7.2018) by [The Beef and Pig Carcase Classification \(Scotland\) Amendment Regulations 2018 \(S.S.I. 2018/182\)](#), regs. 1(1), **3(a)(i)**
- F2** Words in reg. 2(1) substituted (14.12.2019) by [The Official Controls \(Agriculture etc.\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/412\)](#), regs. 1(1), **27**

- F3** Words in reg. 2(1) substituted (31.12.2020) by *The Agriculture Market Measures (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/73)*, regs. 1(2), **4(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in reg. 2(1) substituted (31.12.2020) by *The Agriculture Market Measures (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/73)*, regs. 1(2), **4(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in reg. 2(1) inserted (11.7.2018) by *The Beef and Pig Carcase Classification (Scotland) Amendment Regulations 2018 (S.S.I. 2018/182)*, regs. 1(1), **3(a)(ii)**
- F6** Words in reg. 2(1) substituted (11.7.2018) by *The Beef and Pig Carcase Classification (Scotland) Amendment Regulations 2018 (S.S.I. 2018/182)*, regs. 1(1), **3(a)(iii)**
- F7** Words in reg. 2(1) substituted (11.7.2018) by *The Beef and Pig Carcase Classification (Scotland) Amendment Regulations 2018 (S.S.I. 2018/182)*, regs. 1(1), **3(a)(iv)**
- F8** Word in reg. 2(1) omitted (11.7.2018) by virtue of *The Beef and Pig Carcase Classification (Scotland) Amendment Regulations 2018 (S.S.I. 2018/182)*, regs. 1(1), **3(a)(v)**
- F9** Words in reg. 2(1) substituted (11.7.2018) by *The Beef and Pig Carcase Classification (Scotland) Amendment Regulations 2018 (S.S.I. 2018/182)*, regs. 1(1), **3(a)(vi)**
- F10** Words in reg. 2(1) inserted (11.7.2018) by *The Beef and Pig Carcase Classification (Scotland) Amendment Regulations 2018 (S.S.I. 2018/182)*, regs. 1(1), **3(a)(vii)**
- F11** Words in reg. 2(2) substituted (11.7.2018) by *The Beef and Pig Carcase Classification (Scotland) Amendment Regulations 2018 (S.S.I. 2018/182)*, regs. 1(1), **3(b)**

Modifications etc. (not altering text)

- C1** Reg. 2(1) definitions of “retained EU beef provision” and “retained EU pig provision” moved (31.12.2020) by *The Agriculture Market Measures (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/73)*, regs. 1(2), **4(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

- M1** *S.I. 1994/2155*, amended by *S.I. 2003/2949*, 2004/106, 2006/2192 and 2008/576, and by *S.S.I. 2003/565*, 2004/279 and 2006/451.
- M2** *S.S.I. 2004/280*, amended by *S.S.I. 2006/118*.
- M3** O.J. No. L 165, 30.4.2004, p.1. The revised text of the Regulation is contained in a corrigendum (O.J. No. L 191, 28.5.2004, p.1), and there are further amendments not relevant to these Regulations.
- M4** O.J. No. L 139, 30.4.2004, p.55. The revised text of the Regulation is contained in a corrigendum (O.J. No. L 226, 25.6.2004, p.22), and there are further amendments not relevant to these Regulations.
- M5** *S.I. 1995/539*, revoked in relation to England by *S.I. 2005/2059*, in relation to Scotland by *S.S.I. 2005/505* and in relation to Wales by *S.I. 2005/3292*.

Notices

3.—(1) Any notice required or authorised under these Regulations to be given to any person must be in writing.

(2) Any such notice may be given by—

- (a) delivering it to the person;
- (b) by leaving it at the person's proper address; or
- (c) sending it by post to the person at the person's proper address.

(3) Where any such notice is to be given to a body corporate, it may be given to a relevant individual.

(4) For the purposes of this regulation and section 7 of the Interpretation Act 1978^{M6} (references to service by post) in its application to this regulation, the proper address of any person to whom a notice is to be given is the person's last known address, except in the case of a body corporate or relevant individual, where the proper address is the address of the registered or principal office of

the body, or in the case of the Scottish Ministers where the proper address is such address as they may specify for these purposes.

- (5) In paragraphs (3) and (4) “relevant individual” means—
- (a) in relation to a body corporate—
 - (i) a director, manager, secretary, or other similar officer of the body;
 - (ii) where the affairs of the body are managed by its members, the members;
 - (b) in relation to a Scottish partnership, a partner;
 - (c) in relation to an unincorporated association other than a Scottish partnership, a person who is concerned in the management or control of the association.

Marginal Citations

M6 1978 c.30.

Changes to legislation:

There are currently no known outstanding effects for the The Beef and Pig Carcase Classification (Scotland) Regulations 2010, PART 1.