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STATUTORY INSTRUMENTS

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**1995 No. 539**

**The Fresh Meat (Hygiene and Inspection) Regulations 1995**

**PART II**

**LICENSING OF SLAUGHTERHOUSES, CUTTING  
PREMISES, COLD STORES, FARMED GAME HANDLING  
FACILITIES AND FARMED GAME PROCESSING FACILITIES**

**Issue of licences**

4.—(1) No person shall use any premises as a slaughterhouse, cutting premises, a cold store, a farmed game handling facility or a farmed game processing facility unless those premises are licensed by the Minister.

(2) Subject to paragraph (10) below, the Minister on an application made to him under this regulation—

(a) shall license the premises to which the application relates—

- (i) as a slaughterhouse if he is satisfied that the premises comply with the requirements of Schedules 1 and 2 or as a low throughput slaughterhouse if it was in operation on or before 31st December 1991 and he is satisfied that it complies with the requirements of Schedule 5, and (in either case) if he is satisfied that the method of operation in those premises complies with the requirements of Schedules 7 to 10 and that there is no significant risk either that facilities for inspection under Schedule 10 will be denied or that any fresh meat or blood rejected under that Schedule will be used for human consumption;
- (ii) as cutting premises if he is satisfied that the premises comply with the requirements of Schedules 1 and 3 or as low throughput cutting premises if he is satisfied that they comply with the requirements of Part I of Schedule 5, and (in either case) if he is satisfied that the method of operation in those premises complies with the requirements of Part I of Schedule 7 and Schedule 11;
- (iii) as a cold store if he is satisfied that the premises comply with the requirements of Schedules 1 and 4 and that the method of operation in those premises complies with the requirements of Part I of Schedule 7 and Schedule 14 or as a cold store storing frozen meat if he is satisfied that it complies with Schedule 15;
- (iv) as a farmed game handling facility if he is satisfied that the premises and the method of operation in those premises comply with the requirements of Part I of Schedule 6 and paragraphs 3 to 5 of Schedule 8;
- (v) as a farmed game processing facility if he is satisfied that the premises and the method of operation in those premises comply with the requirements of Part II of Schedule 6 or as a low throughput farmed game processing facility if it was in operation before 31st December 1991 and he is satisfied that it complies with the requirements of Part III of Schedule 6, and (in either case) if he is satisfied that the method of operation in those premises complies with the requirements of Schedules

7, 9 and 10 and that there is no significant risk either that facilities for inspection under Schedule 10 will be denied or that any farmed game meat or blood rejected under that Schedule will be used for human consumption; and

(b) shall refuse so to license those premises if he is not so satisfied.

(3) Each application for a licence under this regulation shall be made in writing to the Minister by the owner or occupier of, or a person proposing to occupy, the premises to which the application relates.

(4) The Minister shall notify the applicant in writing of his decision on the application.

(5) If he refuses a licence, he shall notify the applicant in writing of his reasons for refusal.

(6) A licence in respect of any premises shall be subject to the condition that, save in accordance with regulation 10 or 15, no significant alteration shall be made

(a) to the premises or the equipment in the premises otherwise than by way of repairs and maintenance; or

(b) to the method of operation in the premises,

without the Minister's prior agreement in writing.

(7) In granting a licence in respect of any premises the Minister may make it subject to conditions as to the species of animal which may be slaughtered or processed there.

(8) In granting a licence in respect of low throughput premises the Minister may make it subject to conditions—

(a) as to the maximum limits to throughput;

(b) as to the persons to whom meat from the premises may be sold or supplied.

(9) In granting a licence in respect of a cold store the Minister may make it subject to the condition that fresh meat shall be stored only in one or more specified storage chambers or that the cold store shall store only fresh meat which is packaged.

(10) Where the Minister has granted any premises a temporary derogation in accordance with Council Directive [91/498/EEC\(1\)](#) in respect of one or more of the requirements specified in Schedules 1 to 6, those requirements shall not apply to the premises until 1st January 1996 or until any such earlier date as the Minister may specify.

(11) A slaughterhouse or farmed game processing facility first in operation after 31st December 1991 shall not be licensed as low throughput premises unless it has been approved in accordance with the procedure laid down in Article 16 of Council Directive [64/433/EEC](#) on health problems affecting intra-Community trade in fresh meat, as amended and consolidated by Council Directive [91/497/EEC\(2\)](#).

(12) Where the Minister—

(a) has refused a licence; or

(b) has granted a licence subject to a condition,

his notification under paragraph (4) above shall state the right of appeal under regulation 6 and the time allowed for appealing.

### **Revocation of licences**

**5.—(1)** The Minister may revoke a licence granted by him in respect of any premises and, where appropriate, require the withdrawal of the equipment for application of the health mark if, after an

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(1) OJNo. L268, 24.9.91, p.105.

(2) OJ No. L268, 24.9.91, p.69.

inspection of, or any inquiry into, the operation or structure of the premises and a report by an OVS or veterinary officer, he is satisfied that—

- (a) the conditions of hygiene at those premises are inadequate and the occupier has failed to take the necessary measures to make good the shortcomings within such period as the Minister may specify;
  - (b) any requirement of these Regulations as to hygiene has not been complied with and inadequate or no action has been taken to ensure that a similar breach does not occur in future;
  - (c) any condition attached to the licence in accordance with regulation 4(6), (7), (8) or (9) has not been complied with;
  - (d) the premises no longer fall within these Regulations—
    - (i) because the business carried on at the premises has ceased to be or include the slaughter of animals or the handling or storing of fresh meat; or
    - (ii) because they have become exempt under regulation 3; or
  - (e) any of the requirements specified by the Minister in a temporary derogation in accordance with Council Directive [91/498/EEC](#) has not been complied with.
- (2) The Minister shall give the occupier of the premises notice in writing—
- (a) of his decision to revoke the licence;
  - (b) of the date on which the revocation is to take effect;
  - (c) of the reasons for revocation;
  - (d) of his right to appeal under regulation 6; and
  - (e) of the time allowed for appealing.

(3) In paragraph (2) above “occupier”, in relation to a proposed revocation by virtue of paragraph (1)(d)(i) above, where the premises are vacant, means the last person known to the Minister to have carried on at the premises business for which the licence was granted or his successor in respect of that business.

## Appeals

- 6.—(1) Where the Minister—
- (a) has refused to license any premises; or
  - (b) has granted a licence subject to conditions; or
  - (c) has revoked the licence of any premises,

the owner or occupier of, or a person proposing to occupy the premises may, within 28 days of being notified of the Minister’s decision in accordance with regulation 4(4) or 5(2), appeal to a Meat Hygiene Appeals Tribunal.

(2) The provisions of Schedule 21 shall apply in respect of the constitution, appointment of members, remuneration of members and staffing of a Meat Hygiene Appeals Tribunal.

(3) Where on an appeal under paragraph (1) above a Meat Hygiene Appeals Tribunal determines that the grant of a licence should not have been refused, that unreasonable conditions have been attached to the grant of a licence or that a licence should not have been revoked, the Minister shall give effect to the determination of the Tribunal.

(4) Without prejudice to sections 9 to 13 of the Act, where the Minister has exercised any of his powers under paragraph (1) above, a person who, immediately before the exercise of that power, has been using the premises in question for a purpose not allowed because of its exercise may continue to use them for that purpose, subject to any reasonable conditions imposed by the Minister for the

protection of public health, until the time for appealing has expired and, if an appeal is lodged, until the appeal is finally disposed of or abandoned.

### **Animals not intended for sale for human consumption**

7.—(1) A person may use any slaughterhouse or farmed game handling facility, or cause any such premises so to be used, for the slaughter of an animal the meat derived from which is not intended for sale for human consumption if—

- (a) one of the emergency slaughter conditions is satisfied; or
- (b) neither of the emergency slaughter conditions is satisfied but the private kill condition is satisfied.

(2) The emergency slaughter conditions are—

- (a) that the animal has incurred an injury whilst in transit necessitating its slaughter;
- (b) that the animal is slaughtered by reason of the provisions of regulation 21 or, in Scotland, 11 of the Humane Conditions Regulations (animal in pain etc).

(3) The private kill condition is that it is not intended that meat derived from the animal shall be sold for human consumption.

(4) No person shall use any slaughterhouse or farmed game handling facility, or cause any such premises so to be used, for the slaughter of any animal whose meat is not intended for sale for human consumption unless the case falls within paragraph (1) above.

(5) An animal whose meat is not intended for sale for human consumption may only be slaughtered in a slaughterhouse or farmed game handling facility if it is slaughtered in a different room or at a different time from any animal whose meat is intended for sale for human consumption.

(6) The operator must take appropriate steps to prevent contamination of fresh meat in a slaughterhouse or farmed game handling facility in consequence of the slaughter there of an animal whose meat is not intended for sale for human consumption.

(7) Without prejudice to the generality of paragraph (6) above, the slaughterhall must be thoroughly cleaned and disinfected after such an animal has been slaughtered in it.

(8) Meat from an animal falling within paragraph (1)(b) above must be stored separately from meat intended for sale for human consumption.

(9) The carcase of an animal falling within paragraph (1)(b) above may only be dressed in a slaughterhouse if the animal was slaughtered there.

(10) Such a carcase must be dressed in a different room or at a different time from carcasses of animals whose meat is intended for sale for human consumption.

(11) The operator must take appropriate steps to prevent contamination of carcasses of animals whose meat is intended for sale for human consumption in consequence of the dressing.

(12) Without prejudice to the generality of paragraph (11) above, the slaughterhall must be thoroughly cleaned and disinfected after the dressing.