
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 428

FOOD SAFETY

The Heads of Sheep and Goats (Treatment and Disposal) Regulations (Northern Ireland) 1996

Made - - - - 14th September 1996

Coming into operation 16th September 1996

Whereas it appears to the Department of Agriculture acting as the Department concerned that it is necessary or expedient—

- (a) for the purposes of ensuring that food complies with food safety requirements or in the interests of public health; or
 - (b) for the purposes of protecting or promoting the interests of consumers,
- to make the following Regulations;

Now therefore the said Department concerned, in exercise of the powers conferred by Articles 15(1) and (3), 16(1), 18(1), 25, 26(3) and 47(2) of the Food Safety (Northern Ireland) Order 1991⁽¹⁾ and of every other power enabling it in that behalf, and after consultation, in accordance with Article 47(3) of that Order, with such organisations that appear to it to be representative of interests substantially affected by the Regulations, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Heads of Sheep and Goats (Treatment and Disposal) Regulations (Northern Ireland) 1996 and shall come into operation on 16th September 1996.

Interpretation

2. In these Regulations—

“the Department” means the Department of Agriculture;

“feeding stuff” means feeding stuff as defined in section 66(1) of the Agriculture Act 1970⁽²⁾;

(1) S.I. 1991 No. 762 (N.I. 7) as amended by S.I. 1996 No. 1633 (N.I. 12)

(2) 1979 c. 40, the definition of “feeding stuff” in section 66 was substituted by regulation 20(1) of the Feedingstuffs Regulations (Northern Ireland) 1995 (S.R. 1995 No. 451); regulation 3 of those Regulations prescribes descriptions of animals for the purpose of the definition

“non-scheme animals” means bovine animals other than those slaughtered pursuant to the purchase scheme introduced under Commission Regulation (EC) No. 716/96(3);

“the HSG Order” means the Heads of Sheep and Goats Order (Northern Ireland) 1996(4);

“the Order” means the Food Safety (Northern Ireland) Order 1991;

“the SBM Order” means the Specified Bovine Material Order (No. 2) (Northern Ireland) 1996(5);

“the SBMTD Regulations” means the Specified Bovine Material (Treatment and Disposal) (No. 3) Regulations (Northern Ireland) 1996(6);

“specified bovine material” has the same meaning as in the SBMTD Regulations;

“stain” in relation to any material means treat (either by immersion, spraying or other application) with a 0.5% weight/volume solution of the colouring agent Patent Blue V (E131, 1971 Colour Index No. 42051)(7) in such a way that the colouring is clearly visible over the whole surface of the material.

Heads of sheep and goats for human consumption

3.—(1) A person shall not sell for human consumption any part of the head of a sheep or goat, or any food containing any part of the head of a sheep or goat.

(2) A person shall not use any part of the head of a sheep or goat in the preparation of food for sale for human consumption.

(3) A person shall not sell any part of the head of a sheep or goat for use in the preparation of food for human consumption.

(4) For the purposes of this regulation “the head of a sheep or goat” includes any product derived from it but does not include the tongue where this has been removed immediately after slaughter but before the staining of the head.

(5) This regulation shall not apply to the head of a sheep or goat born, reared and slaughtered in Australia or New Zealand.

Initial treatment of heads of sheep and goats in a slaughterhouse

4.—(1) When a sheep or goat is slaughtered in a slaughterhouse, or slaughtered elsewhere than in a slaughterhouse but brought immediately to a slaughterhouse to be dressed for human consumption, the occupier of the slaughterhouse (in this regulation referred to as “the occupier”) shall ensure that the head is removed from the rest of the carcass.

(2) Subject to paragraph (4) and regulation 6, the occupier shall ensure that any head removed from the carcass of a sheep or goat in accordance with paragraph (1) is stained immediately after removal, and in any event before it is frozen, except that, if the tongue is to be removed, this shall be done immediately after slaughter of the animal and the head shall be stained immediately after removal of the tongue.

(3) Subject to regulation 7, the occupier shall ensure that any head removed from the carcass of a sheep or goat does not come into contact with any other animal material, while in the slaughterhouse and that it is consigned in accordance with Article 4 of the HSG Order and disposed of in accordance with these Regulations.

(3) O.J. No. L99, 19.4.96, p. 14

(4) S.R. 1996 No. 427

(5) S.R. 1996 No. 360

(6) S.R. 1996 No. 361

(7) Colour Index is published by the Society of Dyers and Colourists at Perkin House, 82 Grattan Road, Bradford, West Yorkshire BD1 2JB

(4) In any case where the head which has been removed from the carcase of a sheep or goat is intended to be examined by or on behalf of an officer of the Department or a veterinary surgeon, the head shall not be stained until after the completion of such examination.

Initial treatment of the heads of sheep and goats elsewhere than at a slaughterhouse

5.—(1) Subject to paragraphs (3) and (4) and regulation 6, when the head of a sheep or goat is removed from the carcase in any premises other than a slaughterhouse, the occupier of the premises at which the head is removed (in this regulation referred to as “the occupier”) shall ensure that it is stained immediately after removal, and in any event before it is frozen.

(2) Subject to regulation 7, the occupier shall ensure that any head removed from the carcase of a sheep or goat does not come into contact with any other animal material while on the premises and that it is consigned in accordance with Article 4 of the HSG Order and disposed of in accordance with these Regulations.

(3) In any case where the head which has been removed from the carcase of a sheep or goat and is intended to be examined by or on behalf of the Department or a veterinary surgeon, the head shall not be stained until after the completion of such examination.

(4) The provisions of this regulation shall not apply in the case of a post-mortem examination of a sheep or goat carried out by a veterinary surgeon or a veterinary practitioner provided that he makes arrangements for the disposal of the whole carcase by burial or incineration.

Exception from the requirement to stain heads of sheep and goats

6. The requirements in regulations 4 and 5 to stain the head removed from the carcase of a sheep or goat shall not apply—

(a) in the case of a head which is to be sent to a veterinary or medical school, laboratory, hospital or similar institution for instructional, diagnostic or research purposes; or

(b) in the case of a head which is to be used for non-food or non-feeding stuff purposes and is accordingly sent directly to premises referred to in Article 4(1)(e) of the HSG Order for treatment as if it were specified bovine material,

provided that the head is stored separately from all other animal materials and is clearly identified.

Exception from the requirement to separate heads of sheep and goats from other animal material

7. Nothing in regulations 4(3) and 5(2) shall require a person to ensure that the head removed from the carcase of a sheep or goat does not come into contact with specified bovine material from non-scheme animals.

Application of the SBMTD Regulations and the SBM Order

8. Regulations 9(2) to (5), 15 and 17 of the SBMTD Regulations shall apply in relation to any head which has been removed from the carcase of a sheep or goat in accordance with these Regulations as they apply to specified bovine material as if in regulation 9(2)(c) of the SBMTD Regulations, for the words “specified bovine material” there were substituted “specified material”.

Offences

9. A person who contravenes these Regulations or any provision of the SBMTD Regulations as applied by these Regulations or any direction given under the SBMTD Regulations as so applied, shall be guilty of an offence and shall be liable—

- (a) on summary conviction to a fine not exceeding level 5 on the Standard Scale; or
- (b) on conviction on indictment, to a fine or imprisonment for a term not exceeding two years or to both.

Enforcement

10. These Regulations shall be enforced and executed by the Department.

Application of the Order

11.—(1) The provisions of the Order set out in paragraph (2) shall apply for the purposes of these Regulations as they apply for the purposes of the Order and, accordingly, any reference in the provisions set out in paragraph (2) to the Order shall be construed as including a reference to these Regulations.

- (2) The following are the provisions of the Order mentioned in paragraph (1), that is to say—
 - (a) Article 2(4) and 3 (extended meaning of “sale” etc.);
 - (b) Article 4 (presumptions that food intended for human consumption);
 - (c) Article 8 (inspection and seizure of suspected food);
 - (d) Article 34 (obstruction, etc., of officers);
 - (e) Article 35 (time limit for prosecutions).

Sealed with the Official Seal of the Department of Agriculture on 14th September 1996.

L.S.

Liam McKibben
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations prohibit the sale for human consumption of any part of the head of a sheep or goat and of food containing any part of such heads. They also prohibit the sale of any part of such heads for use in the preparation of food for human consumption and the use of any part of such heads in the preparation of food for human consumption (regulation 3). These prohibitions do not apply in relation to the tongue where it is removed from the head immediately after the slaughter of the animal. The prohibitions also do not apply to the heads of sheep or goats which were born, reared and slaughtered in Australia or New Zealand.

The heads of sheep and goats are, subject to certain exceptions, required to be removed immediately after slaughter, stained, and disposed of in the same way as specified bovine material (regulations 4 to 6). For this purpose certain provisions of the Specified Bovine Material (Treatment and Disposal) (No. 3) Regulations (Northern Ireland) 1996, are applied in relation to sheep and goats heads.