
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 496

**Wild Game Meat (Hygiene and Inspection)
Regulations (Northern Ireland) 1997**

Part V

Administration, Penalties and Enforcement

Records of inspections

14.—(1) The Department shall keep in respect of individual licensed premises, where appropriate, a record of the results of post-mortem health inspections for the purpose of compliance with the provisions of Council Directive [92/45/EEC\(1\)](#).

(2) The Department shall retain any record of such an inspection until the end of the period of 1 year commencing with the date of the inspection to which it relates.

Duties of occupier

15.—(1) The occupier of any licensed premises shall—

- (a) keep, and retain for a period of at least one year from its date, a record adequate to show the source and quantity of killed wild game and wild game meat received into, and despatched from, the premises during each week;
- (b) take all practicable steps to secure compliance by any of his employees or by any person invited on to the premises with the provisions of these Regulations;
- (c) ensure that any OVS, inspector or veterinary officer is provided with adequate facilities so as to enable him to carry out his duties under these Regulations and that he is given such reasonable assistance and access to records as he may from time to time require for that purpose;
- (d) take all necessary measures to ensure that, at all stages of production, the requirements of these Regulations are complied with and carry out checks (including any microbiological checks that the Department may require) on the general hygiene of conditions of production in his establishment to ensure that all equipment, machinery, instruments, fittings, facilities and wild game meat, comply with the requirements of these Regulations;
- (e) take all necessary measures to ensure—
 - (i) that a record in permanent form, which shall be made available to the OVS or inspector upon request, is kept in respect of the matters specified in sub-paragraph (d) for a period of at least one year from the date of such record;
 - (ii) the proper application of the health mark, as provided for in regulation 10(2), including any labels, wrapping or seals on which the health mark is printed;

- (iii) that the OVS or inspector is notified immediately when any information at the occupier's disposal reveals a serious health risk; and
- (iv) in the event of a serious health risk, the withdrawal of wild game meat which has been obtained under or stored in similar conditions (as the case may be) and is likely to present the same risk; and
- (f) ensure that wild game meat is transported in accordance with Schedule 9.

(2) The occupier of any licensed premises shall arrange or establish, in consultation with the OVS, a staff training programme to train staff to comply with hygiene requirements appropriate to the operations that they perform in those premises.

(3) Where the occupier of any licensed premises has informed the Department that a specified number of PIAs are, or will be made, available at those premises, he shall ensure that such PIAs—

- (a) are present at the times notified to him by the OVS appointed in respect of those premises; and
- (b) carry out the functions specified in Schedule 4 as directed by such OVS.

Offences and penalties

16.—(1) If any person contravenes—

- (a) regulation 8(1); or
- (b) regulation 11(1),

he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) If any person contravenes—

- (a) any other provision of these Regulations; or
- (b) a condition imposed by the Department under regulation 5,

he shall be guilty of an offence and shall be liable—

- (i) on summary conviction, to a fine not exceeding the statutory maximum; or
- (ii) on conviction on indictment, to a fine or imprisonment for a term not exceeding two years, or both.

(3) No prosecution for an offence under any of the provisions mentioned in paragraph 2 shall be begun after the expiry of—

- (a) three years from the commission of the offence; or
- (b) one year from its discovery by the prosecutor,

whichever is the earlier.

Application of various Articles of the Order

17. The following provisions of the Order shall apply for the purposes of these Regulations as they apply for the purposes of Articles 7, 13 or 14 of the Order and any reference in them to the Order shall be construed as a reference to the Regulations—

- Article 3 (application to food offered as prizes, etc.);
- Article 4 (presumptions that food intended for human consumption);
- Article 19 (offences due to fault of another person);
- Article 20 (defence of due diligence); and
- Article 34 (obstruction, etc. of officers).

Supervision and enforcement

18. These Regulations shall be enforced and executed by the Department or any district council or by the Department and any district council acting jointly and any authority having such responsibility shall be known for the purposes of these Regulations as “an enforcement authority”

Wild game meat from Great Britain, the Isle of Man and the Channel Islands

19.—(1) A person shall not consign or sell for consignment to a relevant EEA State for human consumption wild game meat produced in a place to which this regulation applies unless it was produced at premises in that place in accordance with legislative provisions having effect in that place and corresponding to regulation 3, regulation 12(1)(e) and paragraph 1 of Schedule 7.

(2) The places to which this regulation applies are Great Britain, the Isle of Man and the Channel Islands.

Amendments

20.—(1) After regulation 3(2)(g) of the Food Premises (Registration) Regulations (Northern Ireland) 1992(2) there shall be added—

“(h) as a wild game processing facility in respect of which a licence is required under regulation 3 of the Wild Game Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997.”.

(2) In the Poultry Meat Regulations—

(a) in regulation 2(1), for the definition of “small wild game” there shall be substituted the following—

““small wild game” and “wild game meat” have the meanings given to them by regulation 2(1) of the Wild Game Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997;”;

(b) in regulation 21(2)(a), for “18(3) or 20” there shall be substituted, “18(3), 20 or 25”;

(c) in Schedule 12, after paragraph 3 there shall be added—

“4. Wild game meat derived from small wild game shall be chilled or frozen and kept at a temperature which must not at any time exceed +4°C if chilled or –12°C if frozen.”.

(3) In regulation 3 of the Food Safety (General Food Hygiene) Regulations (Northern Ireland) 1995(3), after paragraph (2)(k) there shall be added—

“(l) the Wild Game Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1997.”.

(2) S.R. 1992 No. 167; the relevant amending Regulations are S.R. 1994 No. 346, S.R. 1997 No. 493, S.R. 1997 No. 494 and S.R. 1997 No. 495

(3) S.R. 1995 No. 360, to which there are amendments not relevant to these Regulations