

**2001 No. 196**

**EUROPEAN COMMUNITIES**

**FOOD**

**Specified Risk Material (Amendment) (No. 2) Regulations  
(Northern Ireland) 2001**

*Made* . . . . . *8th May 2001*

*Coming into operation* . . . . . *17th June 2001*

The Department of Agriculture and Rural Development(a), being a Department designated(b) for the purposes of section 2(2) of the European Communities Act 1972(c) in relation to the common agricultural policy of the European Economic Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations—

*Citation and commencement*

**1.**—(1) These Regulations may be cited as the Specified Risk Material (Amendment) (No. 2) Regulations (Northern Ireland) 2001, shall come into operation on 17th June 2001.

(2) The Interpretation Act (Northern Ireland) 1954(d) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

*Amendment of the Specified Risk Material Regulations (Northern Ireland) 1997*

**2.**—(1) Regulation 24 of the Specified Risk Material Regulations (Northern Ireland) 1997(e) shall be amended in accordance with this regulation.

(2) In paragraph (5), for the words “Without prejudice to the storage requirements of regulation 28,” there shall be substituted the words “Subject to paragraph (5A), and without prejudice to the storage requirements of regulation 28,”.

(3) After paragraph (5) there shall be inserted the following paragraphs—

“(5A) The operator of a rendering plant may at that plant keep, handle, store or render specified risk material together with other material provided—

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(a) Formerly the Department of Agriculture for Northern Ireland: *see* S.I. 1999/283 (N.I. 1) Art. 3(4)  
(b) S.I. 1972/1811  
(c) 1972 c. 68  
(d) 1954 c. 33 (N.I.)  
(e) S.R. 1997 No. 552 as amended by S.R. 1999 No. 157, S.R. 1999 No. 431, S.R. 2000 No. 295 and S.R. 2001 No. 48

- (a) all of that material is kept, handled, stored and rendered at the plant in accordance with the requirements of these Regulations as if it were specified risk material; and
- (b) he makes and keeps for a period of two years from the date of its arrival at the plant a record of the exact quantity of the specified risk material and the other material together with which the specified risk material is kept, handled, stored and rendered, and accordingly, for the purposes of these Regulations, references to specified risk material shall include references to any—
  - (i) specified risk material kept, handled, stored or rendered together with other material under this paragraph; and
  - (ii) any other material together with which the specified risk material is kept, handled, stored or rendered.”.

(4) In regulation 24(9) for the words “After specified risk material has been processed and separated into protein and tallow the operator of the plant shall ensure that” there shall be substituted the words “Subject to paragraph (9A), after the specified risk material has been processed and separated into protein and tallow the operator of the plant shall ensure that”.

(5) After paragraph (9) there shall be inserted the following paragraph—

“(9A) The operator of a rendering plant shall ensure that no protein or tallow produced from any specified risk material—

- (a) is consigned from the plant for disposal by burial; or
- (b) is disposed of by burial,

unless the specified risk material has been processed at the plant in accordance with method 4 prescribed in Part II of Schedule 1.”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 8th May 2001.

(L.S.)

*R. S. Johnston*  
A senior officer of the Department of  
Agriculture and Rural Development

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations implement two changes to the processing requirements at rendering plants approved by the Department of Agriculture and Rural Development under the Specified Risk Material Regulations (Northern Ireland) 1997 (“the 1997 Regulations”).

The first change gives effect to Articles 3.1 and 7(b) of, and paragraph 3(b)(ii) of Annex I to, Commission Decision 2000/418/EC (O.J. No. L158, 30.6.2000, p. 76) regulating the use of material presenting risks as regards transmissible spongiform encephalopathies and amending Decision 94/474/EC. Specified risk material which is to be buried at licensed landfill sites must first have been processed at an approved rendering plant in accordance with method 4 prescribed in Part II of Schedule 1 to the 1997 Regulations.

The second change is related to the requirements of paragraph 3(b)(ii) of Annex I to the Commission Decision. It allows mixing of specified risk material with other material at approved rendering plants providing all the material is dealt with as specified risk material. Specified risk material kept, stored, handled and rendered at an approved rendering plant, whether processed in accordance with method 4, or in accordance with one of the other methods prescribed in Part II of Schedule 1 to the 1997 Regulations, may now be kept, stored, handled and rendered with other material at the approved rendering plant providing all the material is kept, stored, handled and rendered as specified risk material and records are kept for two years of the exact quantities of all the specified risk material and other material concerned.

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