

2001 No. 429

FOOD

**Poultry Meat, Farmed Game Bird Meat and Rabbit Meat
(Hygiene and Inspection) (Amendment) Regulations
(Northern Ireland) 2001**

Made 13th December 2001

Coming into operation 1st February 2002

*except for paragraphs (2), (3), (4)
and (6) of regulation 2, which*

come into operation on 1st December 2002

The Department of Health, Social Services and Public Safety, being a Department designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to the common agricultural policy of the European 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, commencement and interpretation

1.—(1) These Regulations may be cited as the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) (Amendment) Regulations (Northern Ireland) 2001.

(2) These Regulations shall come into operation on 1st February 2002, except for paragraphs (2), (3), (4) and (6) of regulation 2 which shall come into operation on 1st December 2002

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

*Amendment of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat
(Hygiene and Inspection) Regulations (Northern Ireland) 1995*

2.—(1) The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1995^(d) shall be amended in accordance with the following paragraphs.

(2) In regulation 2(1) (interpretation) the following definitions shall be inserted in the appropriate alphabetical positions—

(a) S.I. 1972/1811

(b) 1972 c. 68

(c) 1954 c. 33 (N.I.)

(d) S.R. 1995 No. 396 as amended by S.R. 1997 No. 496, S.R. 1998 No. 237, S.R. 2000 No. 78 and S.R. 2000 No. 191

“farmer” means any person who is an agricultural producer and manages a holding;” and

“holding” means an agricultural production unit situated in Northern Ireland managed by a farmer;”.

(3) In paragraph (1) of regulation 3 (exemptions and savings for existing licences)—

(a) sub-paragraph (b) shall be replaced with the following sub-paragraphs—

“(b) subject to paragraphs (2), (3) and (4), in so far as a farmer who annually rears and slaughters on the aggregate of all his holdings under 10,000 birds or under 10,000 rabbits sells small quantities of fresh poultry meat, small quantities of fresh farmed game bird meat or small quantities of fresh rabbit meat derived from those birds or rabbits—

(i) direct to the final consumer at the holding where the birds or the rabbits were reared and slaughtered;

(ii) direct to the final consumer at the local market nearest to the holding where the birds or rabbits were reared and slaughtered;

(iii) direct to retailers for sale direct to the final consumer, provided the retailers make such sales in the same county as, or in a neighbouring county to, the holding where the birds or the rabbits were reared and slaughtered; or

(iv) at a market (other than a local market) during the period of two weeks which immediately precede Christmas Day and Easter Sunday each year;

(bA) in so far as a producer who annually rears and slaughters under 10,000 rabbits sells fresh rabbit meat derived from rabbits he has reared and slaughtered at premises under his control direct to a person who buys the meat for his own consumption;” and

(b) in sub-paragraph (g), “(bA),” shall be inserted before “(c)”.

(4) In regulation 3, paragraph (2) shall be replaced with the following—

“(2) The exemptions in paragraph 1(b) and (bA) shall not apply in relation to any itinerant sale or sale by mail order or, as regards a sale by a retailer, any sale by the retailer at a market.”.

(5) In regulation 3(3), “paragraph 1(b)” shall be replaced by “paragraph (1)(b)”.

(6) In regulation 3(3) and (4), for “slaughterhouse” there shall be substituted “holding”.

(7) In regulation 12 (notice of operation of licensed premises), after paragraph (3) there shall be added the following paragraph—

“(4) No person shall operate any licensed low throughput slaughterhouse unless he has notified the Agency, in accordance with paragraph (2), of the number and origin of the birds or rabbits to be slaughtered there.”.

(8) In each of paragraphs (1) and (2) of regulation 14 (transport documentation) “Subject to paragraph (3),” shall be revoked.

(9) Paragraph (3) of regulation 14 (transport documentation) shall be revoked.

(10) In paragraph (1)(a)(i) of regulation 17 (duties of occupier), after “species” there shall be inserted “and origin”.

(11) In Part I of Schedule 5 (construction, layout and equipment of low throughput slaughterhouses and low throughput cutting premises), paragraph 5 shall be replaced with the following—

“5 refrigeration equipment which—

(a) is adequate to keep the internal temperature of meat at the levels required by Schedule 12; and

(b) has a drainage system linked to the waste water pipes which minimises the risk of contamination of meat;”.

(12) In paragraph 17 of Schedule 7, “the slaughtered of all other rabbits,” shall be replaced by “the slaughter of all other rabbits,”.

(13) In paragraph 1(b) of Schedule 8, “92/45/EEC” shall be replaced by “92/45/EEC”.

(14) In paragraph 11(j) of Schedule 8, for “producer” there shall be substituted “occupier”.

(15) In paragraph 3(a) of Part II of Schedule 9, for “cedema” there shall be substituted “oedema”.

(16) Paragraph 1(a) of Schedule 14 (transport) shall be replaced with the following—

“(a) fresh meat shall be transported—

(i) from a licensed slaughterhouse or licensed cutting premises, other than any low throughput slaughterhouse or low throughput cutting premises, by a means of transport fitted with a hermetic closing system or, in the case of fresh meat imported from or intended to be transported through a third country, in a sealed means of transport, which in either case is designed and equipped in such a way that the temperatures specified in Schedule 12 are maintained throughout transportation; and

(ii) from a slaughterhouse licensed as a low throughput slaughterhouse, or from cutting premises licensed as low throughput cutting premises, by a means of transport designed and equipped in such a way that the temperatures specified in Schedule 12 are maintained throughout transportation;”.

Consequential amendment

3. In the Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998^(a), in Schedule 2 (Regulations relevant to intra-Community trade) there shall be inserted at the end of paragraph 4 “S.R. 2001 No. 429”.

(a) S.R. 1998 No. 45; the relevant amending Regulations are S.R. 2000 No. 191 and S.R. 2000 No. 287

Sealed with the Official Seal of the Department of Health, Social Services
and Public Safety on 13th December 2001.

(L.S.)

Denis McMahon

A Senior Officer of the Department of
Health, Social Services and Public Safety

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations (Northern Ireland) 1995 (“the Regulations”). The amendments have effect to—

- (a) disapply the Regulations in so far as farmers and producers with a limited annual production of birds or rabbits make certain sales, primarily of a retail nature (regulation 2(2) to (4) and (6));
- (b) prohibit a person from operating a licensed low throughput slaughterhouse unless he has notified the Food Standards Agency of the number and origin of the birds and rabbits to be slaughtered there (regulation 2(7));
- (c) revoke regulation 14(3) (exemption from requirement in respect of transport documentation) and make consequential amendments to regulation 14(1) and (2) (regulation 2(8) and (9));
- (d) amend regulation 17(1)(a)(i) (duty of occupier to keep records) to require the occupier of licensed premises to record the origin of meat entering the premises (regulation 2(10));
- (e) amend the requirements in paragraph 5 of Part I of Schedule 5 in relation to refrigeration equipment in low throughput slaughterhouses and low throughput cutting premises (regulation 2(11));
- (f) correct an error in paragraph 11 of Schedule 8 (regulation 2(14));
- (g) amend the requirements in paragraph 1(a) of Schedule 14 in relation to the transport of fresh meat of birds from low throughput slaughterhouses and low throughput cutting premises (regulation 2(16));
- (h) make minor textual amendments to the Regulations (regulation 2(5), (12), (13) and (15)).

The amendments made by these Regulations come into operation on 1st February 2002, except for those made by paragraphs (2), (3), (4) and (6) of regulation 2 which come into operation on 1st December 2002.

These Regulations implement in part the provisions of—

- (a) Council Directive 91/495/EEC concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat (O.J. No. L268, 24.9.91, p. 41); and
- (b) Council Directive 71/118/EEC on health problems affecting the production and placing on the market of fresh poultry meat, a consolidated text of which is annexed to Council Directive 92/116/EEC (O.J. No. L62, 15.3.93, p. 1).

Regulation 3 makes a consequential amendment to the Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998.

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