
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 283

**The Animal By-Products (Identification)
Amendment (Scotland) Regulations 2002**

Amendments to the Animal By-Products (Identification) Regulations 1995

2.—(1) The Animal By-Products (Identification) Regulations 1995(1) shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2(1) (interpretation)—

(a) for the definition of “the 1992 Order”, there shall be substituted—

““the 1999 Order” means the Animal By-Products Order 1999(2);”;

(b) in the definition of “animal by-products premises”, “cold store, cutting premises,” shall be inserted before “slaughterhouse”;

(c) the following definitions shall be inserted after the definition of “carcase”:

““cold store” means any premises licensed as such under the Hygiene Regulations;

“cutting premises” means any premises licensed as such under the Hygiene Regulations;”;

(d) in the definition of “game processing facility”, “cold store, cutting premises or” shall be inserted before “slaughterhouse”; and

(e) in the definition of “occupier”, “cold store, cutting premises,” shall be inserted before “slaughterhouse”;

(f) the following definition shall be inserted after the definition of “scientific purposes”:

““slaughterhouse” means any premises licensed as such under the Hygiene Regulations;”;

(g) the definition of “specified bovine offal” shall be omitted; and

(h) for the definition of “stained”, there shall be substituted—

“stained” means treated with a solution of the colouring agent Black PN or Brilliant Black BN (E151, Colour Index 197 No. 28440)(3), which solution is of such a strength that the colouring on the animal by-product is clearly visible; and in this definition, “treated” means—

(a) that the solution has been applied to the whole surface of the animal by-product, whether by immersing the animal by product in the solution, spraying the animal by-product with the solution or applying the solution to the animal by-product by any other equally effective means;

(b) in the case of an animal by-product not falling within paragraph (c) below and weighing not less than 25 kg, that the solution has been so applied after the surface of the animal by product has been opened by multiple and deep incisions; and

(1) S.I.1995/614, amended by S.I. 1995/1955, 1996/3124, 1997/2073 and S.S.I. 2000/62.

(2) S.I. 1999/646, amended by S.S.I. 2001/171.

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

- (c) in the case of an animal by-product comprising an entire poultry carcass, whether or not it has been eviscerated or de feathered, that the solution has been so applied after the surface of the carcass has been opened by multiple and deep incisions.”.
- (3) For regulation 4 (scope) there shall be substituted—

“Scope

- 4.** Nothing in these Regulations shall—
- (a) require the sterilisation or staining, or affect the disposal or other treatment, of an entire carcass, except an entire poultry carcass which is dead on arrival at a slaughterhouse or which is rejected following pre-slaughter or post-mortem health inspections carried out at a slaughterhouse in accordance with the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995(4);
- (b) affect the operation of any order made, or having effect, under the Animal Health Act 1981(5).”.
- (4) In regulation 5 (exemptions)—
- (a) for paragraph (1)(f) there shall be substituted—
- “**(f)** specified risk material controlled by the TSE (Scotland) Regulations 2002(6).”;
- (b) for paragraph (2)(a) there shall be substituted—
- “**(a)** poultry heads and feet which—
- (i) have been subjected to a post-mortem veterinary inspection; and
- (ii) during the course of that inspection did not show gross pathological lesions indicating disease communicable to man or animals;”;
- (c) in paragraph (2)(c), “cold store, cutting premises,” shall be inserted before “slaughterhouse”; and
- (d) in paragraphs (2)(c) and (d), for “the 1992 Order” there shall be substituted “the 1999 Order”.
- (5) For regulation 6 (sterilisation and staining of animal by-products in slaughterhouses or game processing facilities), there shall be substituted—

“Sterilisation and staining of animal by-products in cold stores, cutting premises, slaughterhouses and farmed game processing facilities

- 6.—**(1) Subject to paragraph (2) below, it shall be the duty of the occupier of any cold store, cutting premises, slaughterhouse or farmed game processing facility to ensure that any animal by product is sterilised or stained without undue delay.
- (2) The duty imposed by paragraph (1) above shall not apply to any animal by product—
- (a) which is placed in a room and in a receptacle designed for the purpose of holding animal by-products awaiting sterilisation and bearing a notice that its contents are to be sterilised on the premises and which is then sterilised there;
- (b) which—

(4) S.I. 1995/540, amended by S.I. 1995/1763, 2148, 2200 and 3205, 1997/1729 and S.S.I. 2000/62, 171 and 288 and 2002/87 and 234.

(5) 1981 c. 22.

(6) S.S.I. 2002/255.

- (i) (in the case of an animal by-product other than a poultry by product) is immediately moved to accommodation in the relevant cutting premises, slaughterhouse or game processing facility and placed in a receptacle as mentioned in paragraph 1(h) of Schedule 2, paragraph 1(c) of Schedule 3, paragraph 1(g) of Part I of Schedule 5, paragraph 1(s) of Part II of Schedule 6 or paragraph 1(p) of Part III of Schedule 6 to the Fresh Meat (Hygiene and Inspection) Regulations 1995(7), and which is stained there; or
 - (ii) (in the case of a poultry by-product) is immediately moved to accommodation in the relevant cold store, cutting premises or slaughterhouse and placed in a container as mentioned in paragraph 4(d) of Schedule 1 or paragraph 4(c) of Part I of Schedule 5 to the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995 and which is stained there; or
 - (c) which is intended to be removed from the relevant cold store, cutting premises, slaughterhouse or game processing facility in accordance with regulation 10(2), and which is placed in a room and in a receptacle designed for the purpose of holding animal by-products awaiting sterilisation.
- (3) The occupier of any cold store, cutting premises, slaughterhouse or game processing facility shall ensure that any animal by-product which is placed in a receptacle or container in accordance with paragraph (2)(a) or (b) above is sterilised or, as the case may be, stained, and removed from the cold store, cutting premises, slaughterhouse or game processing facility as soon as is reasonably practicable.
- (4) The occupier of any cold store, cutting premises, slaughterhouse or game processing facility shall ensure that any animal by-product which is placed in a receptacle in accordance with paragraph (2)(c) above is removed from the cold store, cutting premises, slaughterhouse or game processing facility in accordance with regulation 10(2) as soon as is reasonably practicable.”.
- (6) For regulation 8 (freezing of animal by-products in any slaughterhouse, game processing facility or animal by-products premises), there shall be substituted—

“Freezing of animal by-products in any cold store, cutting premises, slaughterhouse, game processing facility or animal by-products premises

8.—(1) Subject to paragraph (2) below, no person shall freeze any animal by-product in any cold store, cutting premises, slaughterhouse, game processing facility or animal by products premises unless it has been sterilised or stained in accordance with these Regulations.

(2) Paragraph (1) above shall not apply in the case of any animal by-product which is intended to be removed from the relevant cold store, cutting premises, slaughterhouse, game processing facility or animal by-products premises in accordance with regulation 10(2).”.

- (7) For regulation 9 (storage and packaging of animal by-products), there shall be substituted—

“Storage and packaging of animal by-products

9.—(1) Subject to paragraph (2) below, no person shall store any unsterilised animal by-product in the same room as any product which is intended for human consumption.

(2) The prohibition contained in paragraph (1) above shall not apply in relation to—

- (a) an animal by-product, other than a poultry by-product, which is stored and dealt with in accordance with paragraph 1(h) of Schedule 2, paragraph 1(c) of Schedule 3,

(7) S.I. 1995/539, amended by S.I. 1995/731, 1763, 2148, 2200, 3124 and 3189, 1996/1148 and 2235, 1997/1729 and 2074, S.S.I. 2000/62, 171, 288 and 2001/160, 358, 394 and 429 and 2002/35 and 234.

paragraph 1(g) of Part I of Schedule 5, paragraph 1(s) of Part II of Schedule 6 or paragraph 1(p) of Part III of Schedule 6 to the Fresh Meat (Hygiene and Inspection) Regulations 1995; or

- (b) a poultry by-product which is stored and dealt with in accordance with paragraph 4(d) of Schedule 1 or paragraph 4(c) of Part I of Schedule 5 to the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995.

(3) No person shall store in any part of a cold store, cutting premises, slaughterhouse or game processing facility any unsterilised animal by-product unless it is placed in a receptacle on which is affixed a conspicuously visible and legible notice containing the declaration “Not intended for human consumption” in letters at least two cm high, the name of the packer and the address at which the animal by-product was packed or, in the case of any imported animal by-product, the name of the country from which it was imported into Great Britain and—

- (a) (in the case of any animal by-product which is high risk material as defined in article 3(1) of the 1999 Order) there is affixed to the receptacle a conspicuously visible and legible notice containing the declaration “High risk animal by-product” in letters at least two cm high”; or
- (b) (in the case of any animal by-product which is low risk material as defined in Article 3(1) of the 1999 Order) there is affixed to the receptacle a conspicuously visible and legible notice containing the declaration “Low risk animal by-product” in letters at least two cm high.”.

(8) For regulation 10 (restriction on movement of animal by-products), there shall be substituted—

“Restriction on movement of animal by-products

10.—(1) Subject to paragraph (2) below, no person shall move or cause to be moved any animal by-product from any cold store, cutting premises, slaughterhouse, game processing facility or animal by-products premises unless it has been sterilised or stained in accordance with these Regulations.

(2) The prohibition contained in paragraph (1) above shall not apply in relation to any animal by-product which has not been sterilised or stained in accordance with these Regulations because of a permanent or temporary closure of the relevant cold store, cutting premises, slaughterhouse, game processing facility or animal by products premises, a breakdown of the machinery installed there or a trade dispute, and which is moved, under the supervision of an authorised officer of the enforcement authority, to other premises for incineration or burial in accordance with the provisions of the 1999 Order.”.