

1990 No. 2495

FOOD

The Meat Inspection (Amendment) Regulations 1990

Made - - - - - 10th December 1990
Laid before Parliament 11th December 1990
Coming into force - 1st January 1991

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 4(1), 6(4), 16(1)(b), (d), (e) and (f), 17(1), 26(1) and (3) and 48(1) of, and paragraphs 2(1) and 3(1) of Schedule 1 to, the Food Safety Act 1990(a) and of all other powers enabling them in that behalf; the Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers 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, acting jointly, in exercise of the powers conferred on them by the said section 2(2), and of all other powers enabling them in that behalf; after consultation in accordance with section 48 of the said Act of 1990 with such organisations as appear to them to be representative of interests substantially affected by the Regulations (in so far as the regulations are made in exercise of the powers conferred by the said sections of the said Act of 1990), hereby make the following Regulations:

Title, commencement and extent

1.—(1) These Regulations may be cited as the Meat Inspection (Amendment) Regulations 1990 and shall come into force on 1st January 1991.

(2) These Regulations shall apply to England and Wales.

Amendments

2. The Meat Inspection Regulations 1987(d) shall be amended as follows—

(a) in regulation 2 (interpretation)—

(i) after the definition of “animals” there shall be inserted the following definitions—

““ante-mortem health inspection” means an inspection of live animals in a slaughterhouse in accordance with the requirements of regulation 6A and Schedule 4 and “post-mortem health inspection” means an inspection for the purposes of these Regulations other than an ante-mortem health inspection;”;

““appropriate Minister” means, as respects England, the Minister of Agriculture, Fisheries and Food and, as respects Wales, the Secretary of State;”;

(a) 1990 c.16.
(b) S.I. 1972/1811.
(c) 1972 c.68.
(d) S.I. 1987/2236, amended by S.I. 1990/2486 and 2494.

(ii) for the definition of "inspector" there shall be substituted the following definition—

““inspector” means—

(a) in relation to an ante-mortem health inspection, a person, other than a veterinary surgeon, who holds a qualification specified in the Schedule to the Authorised Officers (Meat Inspection) Regulations 1987(a) and who is appointed by a food authority as an inspector for the purposes of these Regulations; and

(b) in relation to a post-mortem health inspection, any such person as is mentioned in paragraph (a) above and a veterinary inspector who is so appointed as an inspector for the purposes of these Regulations;”;

(iii) after the definition of "slaughterhouse" there shall be inserted the following definition—

““veterinary inspector” means a veterinary surgeon appointed by a food authority as a veterinary inspector for the purposes of these Regulations.”;

(b) for the heading to regulation 3 there shall be substituted the heading “Duty of food authorities to carry out post-mortem health inspections” and in that regulation before the word “inspection” there shall be inserted the words “post-mortem health”;

(c) after regulation 6 there shall be inserted the following regulation—

“Duty of food authorities to carry out ante-mortem health inspections

6A.—(1) Subject to paragraphs (2) and (3) of this regulation, every food authority shall arrange for every animal which is to be slaughtered in a slaughterhouse to be subjected to an ante-mortem health inspection by a veterinary inspector or an inspector in accordance with Schedule 4.

(2) An animal to which the provisions of regulation 21(a) of the Slaughter of Animals (Humane Conditions) Regulations 1990(b) apply shall not be subjected to an ante-mortem health inspection in accordance with paragraph (1) above if it is not reasonably practicable for such an inspection to be carried out before it is necessary for the animal to be slaughtered in compliance with such regulation.

(3) In carrying out his duties under paragraph (1) above, an inspector shall comply with any directions given to him by a veterinary inspector in relation thereto.”;

(d) in regulation 10 (inspection of meat) in the heading before the words “Inspection of meat” there shall be inserted the words “Post-mortem health” and in paragraph (1) thereof before the word “inspection” there shall be inserted the words “post-mortem health”;

(e) in regulation 16 (responsibility, and assistance to inspectors), for paragraph (b) there shall be substituted the following paragraph—

“(b) shall ensure that a veterinary inspector or an inspector 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 as he may from time to time require for that purpose.”;

(f) after regulation 16 there shall be inserted the following regulation—

“Records of inspections

16A. Every food authority shall keep in respect of each slaughterhouse in their area a record, in such form as the appropriate Minister may require for the purpose of compliance with the provisions of Council Directive 64/433/EEC as amended(c), of the results of—

(a) S.I. 1987/133, amended by S.I. 1990/2486.

(b) S.I. 1990/1242.

(c) OJ No. L121, 29.7.64; OJ/SE 1963–64, p.185; the relevant amending instrument is Council Directive 88/288/EEC, OJ No. L124, 18.5.88, p.28.

- (a) ante-mortem health inspections which show that any of the conditions referred to in paragraph 4(a) or (b) of Schedule 4 exist in the animals subjected to such inspections; and
- (b) post-mortem health inspections of the carcasses or offal of any animals in which any such conditions have been so shown to exist, and each food authority shall supply to the appropriate Minister copies of any such records kept by them as the appropriate Minister may from time to time require.”;
- (g) in Schedule 1 (inspection requirements)–
 - (i) in the heading before the words “INSPECTION REQUIREMENTS” there shall be inserted the words “POST-MORTEM HEALTH”;
 - (ii) in Part I, after paragraph 2 there shall be inserted the following paragraph–
 - “3. Where he considers it necessary the inspector shall arrange for laboratory investigations to be carried out.”;
 - (iii) in Part IV, for paragraph 1(h) there shall be substituted the following paragraph–
 - “(h) visual examination of the kidneys and, where an inspector considers it necessary, incision of the kidneys and examination in detail of the renal lymph nodes.”; and
 - (iv) in Part VI, after paragraph 1 there shall be inserted the following paragraph–
 - “2. An investigation for glanders shall be carried out by means of an examination of mucous membranes of the trachea, larynx, nasal cavities, sinuses and their ramifications, after splitting the head in the median plane and excision of the nasal septum.”; and
- (h) after Schedule 3 there shall be inserted the following Schedule–

“SCHEDULE 4

Regulation 6A

ANTE-MORTEM HEALTH INSPECTION REQUIREMENTS APPLICABLE IN SLAUGHTERHOUSES

1. Animals intended for slaughter shall undergo an ante-mortem health inspection within 24 hours of their arrival at the slaughterhouse. The inspection shall be repeated immediately before slaughter if the animal has been kept in a lairage overnight and at any other time if required by a veterinary inspector or an inspector.
2. The ante-mortem health inspection shall be made under adequate natural or artificial lighting.
3. If an inspector, in carrying out his duties under regulation 6A(1) considers that an animal shows an abnormality he shall require it to be taken to, and detained in, that part of the lairage provided for the isolation of animals which are diseased or injured or suspected of being diseased or injured and to be subjected to an ante-mortem inspection there by a veterinary inspector. If, following such an inspection, the veterinary inspector does not pass the animal fit for slaughter for human consumption he may require that it shall be slaughtered and dressed forthwith in accordance with the provisions of regulation 29 of the Slaughterhouses (Hygiene) Regulations 1977(a).
4. An ante-mortem health inspection carried out by a veterinary inspector in accordance with paragraph 3 above shall determine–
 - (a) whether the animals are showing symptoms of a disease which can be transmitted through the meat to humans or animals or whether there are any indications that such a disease may occur;

(a) S.I. 1977/1805, to which there are amendments not relevant to these Regulations.

- (b) whether they are showing symptoms of a disease or disorder which would be likely to make that meat unfit for human consumption;
- (c) whether they are injured, fatigued or stressed;
- (d) whether there is any visible evidence that substances with pharmacological effects have been administered to them or that they have consumed any other substance which may make the meat unfit for human consumption.

5. Animals shall not be slaughtered for production of meat for human consumption if they—

- (a) show any of the conditions mentioned in paragraph 4(a), (b) or (d) above;
- (b) have not been rested for an adequate period of time, which for fatigued or stressed animals must not, unless a veterinary inspector shall determine otherwise, be less than 24 hours, or
- (c) have been found to have any form of clinical tuberculosis.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 7th December 1990.



John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

10th December 1990

Stephen Dorrell
Parliamentary Under Secretary of State for Health

7th December 1990

David Hunt
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Meat Inspection Regulations 1987 ("the 1987 Regulations"), thereby implementing in part the provisions of Council Directive 88/409/EEC (OJ No. L194, 22.7.88, p.28) in so far as it lays down health rules applying to meat intended for the domestic market by requiring all fresh meat produced in a Member State for that market to be inspected in accordance with certain inspection rules laid down in Council Directive 64/433/EEC (OJ No. L121, 29.7.64; OJ/SE 1963-64, p.185), as amended, on health problems affecting intra-Community trade in fresh meat.

The changes of substance made to the 1987 Regulations by the Regulations are the inclusion of provisions which—

- (1) require food authorities (subject to one specified exception) to arrange for every animal which is to be slaughtered in a slaughterhouse to be subjected to an ante-mortem health inspection (regulation 2(c) and (h));
- (2) require food authorities to keep records of ante- and post-mortem health inspections carried out at slaughterhouses in their areas which show that any specified conditions exist in any of the animals subjected to such inspections (regulation 2(f)); and
- (3) require an inspector, in carrying out a post-mortem health inspection for the purpose of the 1987 Regulations, to arrange, where he considers it necessary, for laboratory investigations to be carried out and, in the case of post-mortem health inspections in respect of solipeds, to carry out an investigation for glanders in a specified manner (regulation 2(g)(ii) and (iv)).