
STATUTORY INSTRUMENTS

1992 No. 2037

The Fresh Meat (Hygiene and Inspection) Regulations 1992

PART I

PRELIMINARY

Title and commencement

1. These Regulations may be cited as the Fresh Meat (Hygiene and Inspection) Regulations 1992 and regulations 4, 5, 6 and 9 shall come into force on 1st October 1992, and all other regulations thereof shall come into force on 1st January 1993.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act” means the Food Safety Act 1990;

“animals” means the following food sources namely—

(a) domestic animals of the following species: bovine animals (including buffalo of the species *Bubalus bubalis* and *Bison bison*), swine, sheep, goats and solipeds; and

(b) farmed game;

“another member State” means a member State of the European Community other than the United Kingdom;

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

“carcase” means the whole body of a slaughtered animal after bleeding, evisceration and removal of the limbs at the carpus and tarsus, removal of the head, tail and udder and, in addition, in the case of bovine animals, sheep, goats, farmed game and solipeds, after flaying; and, in the case of swine, after bleeding and evisceration, whether or not the limbs at the carpus and tarsus and the head have been removed;

“cold store” means any premises, not forming part of a slaughterhouse, cutting premises, farmed game processing facility or a farmed game handling facility, used for the storage under temperature controlled conditions of fresh meat intended for sale for human consumption;

“contravention” in relation to any provision of these Regulations includes a failure to comply with that provision;

“country of destination” means the member State to which fresh meat is sent from another member State;

“cutting premises” means premises used for the purpose of cutting up fresh meat intended for sale for human consumption;

“cutting up” means—

(a) cutting fresh meat into cuts smaller than half carcasses cut into three wholesale cuts; or

(b) removing bones from fresh meat;

“disinfect” means to apply hygienically satisfactory chemical or physical agents or processes with the intention of eliminating micro-organisms;

“examine in detail” means to examine by making multiple deep incisions into lymph nodes;

“farmed game” means wild land mammals which are reared and slaughtered in captivity, excluding—

(a) mammals of the family Leporidae, or

(b) wild land mammals living within an enclosed territory under conditions of freedom similar to those enjoyed by wild game;

“farmed game handling facility” means any building, premises or place, other than a slaughterhouse, used for the purpose of slaughtering farmed game, the flesh of which is intended for sale for human consumption;

“farmed game meat” means meat obtained from farmed game;

“farmed game processing facility” means premises, other than a slaughterhouse, used for the purpose of dressing farmed game the flesh of which is intended for sale for human consumption;

“final consumer” means a person who buys fresh meat—

(a) for his own consumption;

(b) for direct transport to, and consumption on, premises either in his ownership or under his personal supervision or in the ownership or under the personal supervision of a person employed by him; or

(c) for cooking on premises either in his ownership or under his personal supervision or in the ownership or under the personal supervision of a person employed by him for sale as take-away food for consumption off those premises;

“fresh”, as applied to meat, means all meat, including chilled or frozen meat, which has not undergone any preserving process and includes meat vacuum wrapped or wrapped in a controlled atmosphere;

“health mark” means a mark applied in accordance with regulation 11 and of a kind and in the manner set out in Schedule 12;

“inspector” means an authorised officer who—

(a) has any qualification specified in Schedule 22; and

(b) is appointed as an inspector in accordance with regulation 8(2);

“lairage” means (except in regulation 17) that part of a slaughterhouse used for the confinement of animals awaiting slaughter there;

“licensed”, in relation to any slaughterhouse, cold store, cutting premises, farmed game handling facility or farmed game processing facility, means licensed by the appropriate Minister under regulation 4;

“livestock unit” means 1 bovine animal or soliped, 3 swine or deer or 7 sheep or goats;

“local authority” means—

(a) as respects each London borough, district or non-metropolitan county, the council of that borough, district or county;

(b) as respects the City of London (including the Temples), the Common Council; and

(c) as respects Scotland, an islands or district council;

“low throughput”—

- (a) in relation to a farmed game processing facility means a throughput of not more than 1,800 farmed deer or farmed wild boar carcasses each year at a rate not exceeding 36 each week;
- (b) in relation to a slaughterhouse means a throughput of not more than 600 livestock units each year at a rate not exceeding 12 each week;
- (c) in relation to cutting premises not forming part of a slaughterhouse licensed under regulation 4(2)(a)(i), means a production of not more than 3 tonnes of fresh meat each week;

“manure pit” means a pit which is used to collect or contain dry sheep manure and which is situated beneath a self-cleaning open mesh or grating-type floor in a sheep lairage;

“meat” means all parts of animals which are suitable for human consumption;

“mechanically recovered meat”, which includes mechanically separated meat, means finely comminuted meat obtained by mechanical means from flesh-bearing bones apart from—

- (a) the bones of the head;
- (b) the extremities of the limbs below the carpal and tarsal joints and, in the case of swine, the coccygeal vertebrae,

and intended for establishments approved in accordance with Article 6 of Council Directive [77/99/EEC\(1\)](#);

“the Ministers” means the following Ministers acting jointly, namely the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales;

“occupier” means—

- (a) in relation to any person, other than a local authority, carrying on the business of a slaughterhouse, cutting premises or a cold store (either together or separately) or a farmed game processing or farmed game handling facility, that person or his duly authorised representative;
- (b) in relation to a slaughterhouse, cutting premises, cold store, farmed game processing facility or farmed game handling facility under the management of a local authority or a joint board constituted under the Public Health Act 1936(2), that authority or board;

“offal” means fresh meat other than that of the carcass, whether or not naturally connected to the carcass;

“official veterinary surgeon” means a veterinary surgeon designated by the appropriate Minister;

“packaging”, in relation to fresh meat, means placing wrapped fresh meat into a receptacle and “package” shall be construed accordingly;

“premises” means any slaughterhouse, cutting premises, cold store, farmed game handling facility or farmed game processing facility;

“sell” includes offer or expose for sale or have in possession for sale or supply, otherwise than by sale, in the course of a business;

“slaughterhall” means that part of the slaughterhouse in which animals are slaughtered or the bodies or slaughtered animals are dressed;

“slaughterhouse” means any building, premises or place (other than a farmed game handling facility) for slaughtering animals, the flesh of which is intended for sale for human

(1) OJNo. L26, 31.1.77, p. 85.

(2) 1936 c. 49.

consumption, and includes any place available in connection therewith for the confinement of animals while awaiting slaughter there;

“veterinary officer” means a veterinary officer of the Minister of Agriculture, Fisheries and Food;

“viscera” means offal from the thoracic, abdominal and pelvic cavities, including the trachea and oesophagus;

“wrapping”, in relation to the protection of fresh meat, means placing in material which comes into direct contact with such meat as well as the material itself.

(2) Except in so far as the context otherwise requires, any reference in these Regulations to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule bearing that number in these Regulations.

(3) Nothing in these Regulations shall be construed as derogating from the provisions of the Animal Health Act 1981(3) or of any Order made thereunder.

Exemption

3. These Regulations shall not apply to premises where fresh meat is—
- (a) used exclusively for the production for sale of meat products, meat preparations, minced meat or mechanically recovered meat; or
 - (b) cut up or stored for sale from those premises to the final consumer; or
 - (c) used exclusively for carcass competitions.

PART II

LICENSING OF SLAUGHTERHOUSES, CUTTING PREMISES, COLD STORES, FARMED GAME HANDLING FACILITIES AND FARMED GAME PROCESSING FACILITIES

Issue of licences

4.—(1) No person shall, at any time on or after 1st January 1993, use any premises as a slaughterhouse, cutting premises, cold store, farmed game handling facility or a farmed game processing facility unless those premises are currently licensed.

(2) Without prejudice to paragraphs (10) and (11) below, the appropriate Minister on an application made to him under this regulation—

- (a) shall, subject to paragraph (7) below, license the premises to which the application relates as—
 - (i) a slaughterhouse if he is satisfied that the premises comply with the requirements of Schedules 1 and 2 or, as a low throughput slaughterhouse if it was in operation on or before 31st December 1991 and complies with the requirements of Schedule 5, and (in either case) that the method of operation in those premises complies with the requirements of Schedules 7 to 10 and that there is no significant risk either that facilities for inspection under Schedule 10 will be denied or that any fresh meat or blood condemned under that Schedule will be used for human consumption;
 - (ii) cutting premises if he is satisfied that the premises comply with the requirements of Schedules 1 and 3 or, as low throughput cutting premises if they comply with

the requirements of Part I of Schedule 5, and (in either case) that the method of operation in those premises complies with the requirements of Part I of Schedule 7 and Schedule 11;

- (iii) a cold store if he is satisfied that the premises comply with the requirements of Schedules 1 and 4 and that the method of operation in those premises complies with the requirements of Part I of Schedule 7 and Schedule 14 and, as a cold store storing frozen meat if it complies with Schedule 15; and any licence issued in respect of a cold store may be subject to the condition that fresh meat shall be stored only in one or more specified storage chambers or that the cold store shall store only fresh meat which is packaged;
- (iv) a farmed game handling facility if he is satisfied that the premises and the method of operation in those premises comply with the requirements of Part I of Schedule 6 and paragraphs 3 to 5 of Schedule 8;
- (v) a farmed game processing facility if he is satisfied that the premises and the method of operation in those premises comply with the requirements of Part II of Schedule 6 or, as a low throughput farmed game processing facility if it was in operation before 31st December 1991 and complies with the requirements of Part III of Schedule 6, and (in either case) that the method of operation in those premises complies with the requirements of Schedules 7, 9 and 10, and that there is no significant risk either that facilities for inspection under Schedule 10 will be denied or that any farmed game meat or blood condemned under that Schedule will be used for human consumption; and

(b) shall refuse so to license those premises if he is not so satisfied.

(3) Each application for a licence under this regulation shall be made in writing to the appropriate Minister by the owner or occupier of, or a person proposing to occupy, the premises to which the application relates.

(4) The appropriate Minister shall notify the local authority in writing of each such application.

(5) Where a local authority has been notified under paragraph (4) of this regulation of an application for the licensing of any premises, it must, within 14 days after the receipt of such notification, submit to the appropriate Minister—

- (a) written notification that it is making arrangements for the appointment of an adequate number of official veterinary surgeons to supervise those premises under regulation 8; and
- (b) where appropriate, written representations relating to that application, a copy of which it shall send to the applicant.

(6) Within 14 days after the receipt of a copy of any representations submitted by the local authority under paragraph (5) above the applicant may submit written observations on those representations to the appropriate Minister.

(7) In determining whether or not to license any premises under paragraph (2) above the appropriate Minister shall have regard to—

- (a) any representations submitted by the local authority under paragraph (5) above; and
- (b) any observations submitted by the applicant under paragraph (6) above.

(8) The appropriate Minister shall notify the applicant and the local authority in writing of his decision on each application for a licence under this regulation and of the reasons for any refusal to license such premises.

(9) Any licence granted in respect of any premises under this regulation shall be subject to the condition that, save in accordance with regulations 10, 12 or 16, no significant alteration shall be made to—

- (a) the premises or the equipment in those premises otherwise than by way of repairs and maintenance; or
- (b) the method of operation in those premises

without the prior agreement in writing of the appropriate Minister who, in deciding whether or not to give his agreement, shall have regard to any views expressed by the local authority.

(10) In granting a licence in respect of any premises under this regulation the appropriate Minister may make that licence subject to conditions in respect of the species of animal which shall be slaughtered or processed there or, in respect of low throughput premises, conditions in respect of the maximum limits of throughput or persons to whom meat from such premises shall be sold or supplied.

(11) Where the appropriate Minister has granted any slaughterhouse, cutting premises, farmed game processing facility or cold store a temporary derogation in accordance with Council Directive [91/498/EEC](#)(4) in respect of one or more of the requirements specified in Schedules 1 to 6, those requirements shall not apply to such premises until 1st January 1996 or until any such earlier date as the appropriate Minister may specify.

(12) A slaughterhouse or farmed game processing facility first in operation on or after 1st January 1992 shall not be licensed as a low throughput premises unless it has been approved in accordance with the procedure laid down in Article 16 of Council Directive [64/433/EEC](#) as amended and consolidated by Council Directive [91/497/EEC](#)(5).

(13) Any notification under paragraph (8) above shall state the right of appeal to a Meat Hygiene Appeals Tribunal for which provision is made in regulation 6, and the time within which an appeal shall be lodged.

Revocation of licences

5.—(1) The appropriate Minister may revoke a licence granted by him under regulation 4 in respect of any premises and, where appropriate, require the withdrawal of the equipment for application of the health mark if, after an inspection of, or an inquiry into, the operation or structure of the premises and a report by an official veterinary surgeon or veterinary officer and after consultation with the local authority and the occupier—

- (a) any of the requirements of these Regulations is no longer being complied with; or
- (b) any of the requirements of these Regulations has not been complied with and no action has been taken to ensure that a similar breach does not occur in future; or
- (c) any condition attached to the licence in accordance with regulation 4(9) or (10) has not been complied with; or
- (d) any of the requirements specified in a temporary derogation by the appropriate Minister in accordance with Council Directive [91/498/EEC](#) has not been complied with.

(2) The appropriate Minister shall forthwith notify the occupier and the local authority of his decision under paragraph (1) above to revoke any licence granted under these Regulations, in respect of any premises, of the date on which the revocation is to take effect and of the reasons for such revocation.

(3) Any notification under paragraph (2) above shall be given in writing.

(4) Any notification under paragraph (2) above shall state the right of appeal to a Meat Hygiene Appeals Tribunal for which provision is made in regulation 6, and the time within which an appeal shall be lodged.

(4) OJ No. L268, 24.4.91, p. 105.

(5) OJ No. L268, 24.4.91, p. 69.

Appeals Tribunal

6.—(1) Where the appropriate Minister has refused to license any premises under regulation 4 or has revoked the licence of any premises under regulation 5 the owner or occupier of, or the person proposing to occupy the premises may, within 28 days of being notified of that decision in accordance with regulation 4(13) or 5(2), appeal to a Meat Hygiene Appeals Tribunal.

(2) The provisions of Schedule 21 shall apply in respect of the constitution, appointment of members, remuneration of members and staffing of a Meat Hygiene Appeals Tribunals.

(3) Where on an appeal under paragraph (1) above a Meat Hygiene Appeals Tribunal determines that the issue of a licence under regulation 4 should not be refused by the appropriate Minister, or reverses the decision of the appropriate Minister to revoke a licence under regulation 5, the appropriate Minister shall give effect to the determination of the Tribunal.

(4) Without prejudice to sections 9 to 12 of the Act, where the appropriate Minister has refused a licence under regulation 4 or revoked the licence of any premises under regulation 5, a person who, immediately before such refusal or revocation had been using them as a slaughterhouse, cutting premises, cold store, farmed game handling facility or farmed game processing facility (as the case may be), may continue to use them for that purpose, subject to any reasonable conditions imposed by the Minister for the protection of public health, until the time for appealing has expired and, if an appeal is lodged, until the appeal is finally disposed of or abandoned.

Prohibition on the slaughter at a slaughterhouse or a farmed game handling facility of an animal not intended for human consumption

7.—(1) Subject to paragraphs (2) and (3) below, no person shall use any slaughterhouse or farmed game handling facility, or cause any such premises so to be used, for the slaughter of any animal not intended for human consumption or the dressing of the carcase of any such animal.

(2) Paragraph (1) above shall not apply in respect of the use of a slaughterhouse for the slaughter of an animal not intended for human consumption—

- (a) where the animal has incurred an injury whilst in transit necessitating its slaughter; or
- (b) by reason of the provisions of regulation 21 of the Slaughter of Animals (Humane Conditions) Regulations 1990⁽⁶⁾ or regulation 11 of the Slaughter of Animals (Humane Conditions) (Scotland) Regulations 1990⁽⁷⁾.

(3) Paragraph (1) above shall not apply in respect of the use of a slaughterhouse for the slaughter of such an animal referred to in paragraph (2) above if—

- (a) the animal is slaughtered in a different room or at a different time from any animal intended to be slaughtered for human consumption; and
- (b) appropriate steps are taken to prevent the contamination of fresh meat in the slaughterhouse.

PART III

SUPERVISION AND CONTROL OF PREMISES

Supervision of premises

8.—(1) Every local authority shall, in relation to any premises, appoint for each such establishment one or more official veterinary surgeons, in each case to be an officer of that authority

⁽⁶⁾ S.I.1990/1242.

⁽⁷⁾ S.I. 1990/1240.

authorised to act in relation to the examination and seizure of meat, to provide the health certification of fresh meat in accordance with the provisions of regulation 15 and to be responsible for the following functions in relation to those premises, that is to say—

- (a) the ante-mortem health inspection of animals in accordance with Schedule 8;
- (b) the post-mortem health inspection of slaughtered animals in accordance with Schedule 10;
- (c) where appropriate, the examination of the fresh meat of swine and horses for trichinellosis in accordance with paragraphs 12 and 13 of Part IX of Schedule 10;
- (d) the health marking of fresh meat in accordance with Schedule 12; and
- (e) securing the observance of the requirements of Schedules 1, 2, 3, 4, 5, 6, 7, 9, 11, 13, 14, 15 and 17.

(2) Every local authority shall, in relation to any premises, appoint such number of other persons to act as inspectors in relation to the functions specified in paragraph (1)(a) to (e) above as are necessary for the proper performance of those functions.

(3) An inspector appointed under paragraph (2) above shall act under the supervision and responsibility of an official veterinary surgeon and, in relation to the function specified in paragraph (1)(a) above shall only make an initial check on animals and assist with purely practical tasks.

Designation of official veterinary surgeons

9.—(1) The appropriate Minister may designate a veterinary surgeon as an authorised officer who is to act in the capacity of an official veterinary surgeon for the purposes of the Regulations.

(2) Subject to paragraphs (3) and (4) below, the appropriate Minister may, at any time, revoke or suspend the designation of any person as an official veterinary surgeon if it appears to the appropriate Minister that such person is unfit to perform one or more of the functions of an official veterinary surgeon under these Regulations.

(3) Where the appropriate Minister revokes or suspends a designation under paragraph (2) above he shall, as soon as possible, give to the person whose designation has been revoked or suspended a notice in writing of the reasons for the revocation or suspension and shall afford him an opportunity of making representations in writing to the appropriate Minister with regard to the revocation or suspension or of being heard by a person appointed for the purpose by the appropriate Minister.

(4) A notice given under paragraph (3) above shall inform the person to whom it is given of his right to make representations in writing, of the manner in which and the time (not being less than 21 days from the giving of the notice) within which such representations may be made and of his right to be heard and of the manner in which and the time (not being less than 21 days from the giving of the notice) within which he may apply for an opportunity to be heard; and, in the event of the designated person making any representations (whether orally or in writing) to the appropriate Minister under this paragraph, the appropriate Minister shall reconsider whether that person is unfit to perform one or more of the functions of an official veterinary surgeon under these Regulations and shall reconsider, as soon as practicable, his decision to revoke or suspend the designation under paragraph (2) above in the light of those representations.

Powers of official veterinary surgeons and veterinary officers

10.—(1) Where it appears to an official veterinary surgeon that any of the requirements of these Regulations is no longer being complied with in respect of any premises he may, by notice in writing given to the occupier of the premises—

- (a) prohibit the use of any equipment or any part of the premises specified in the notice; or
- (b) require the rate of operation to be reduced to such an extent as is specified in the notice.

(2) A notice given under paragraph (1) above shall specify the breach of the Regulations that has occurred and the action needed in order to remedy it and it shall be copied to the local authority and the appropriate Minister; and

- (a) such a notice shall be withdrawn by a further notice in writing given by an official veterinary surgeon to the occupier of the premises as soon as an official veterinary surgeon is satisfied that such action has been taken; and
- (b) so long as such a notice is in effect, the licence in respect of the premises shall be treated as being altered by the addition of the requirements specified in the notice and the other provisions of the licence shall be subject to those requirements.

(3) An official veterinary surgeon or a veterinary officer may subject any animal or any carcase or meat in any premises to such examinations (including the taking and analysis of samples) as he may reasonably consider to be necessary for the protection of public health; and an official veterinary surgeon, veterinary officer or an inspector may, by notice in writing given to the occupier of any such premises, state that he requires to examine an animal, carcase or meat specified in the notice on the premises and once such notice is received the occupier shall detain any such animal, carcase or meat until such time as he is informed in writing, as soon as practicable, by the official veterinary surgeon or veterinary officer (as the case may be) that the result of any such examination has been obtained.

(4) A veterinary officer may at any time give to an official veterinary surgeon such reasonable directions as he may consider necessary so as to ensure that the duties and functions of such a person under the Regulations are being complied with and the official veterinary surgeon shall comply with those directions; where such a direction is given in writing, a copy shall be sent to the appropriate local authority.

(5) A person who is aggrieved by a decision of an official veterinary surgeon pursuant to paragraph (1) above may appeal to a magistrates' court or, in Scotland, to the sheriff.

Inspection and health marking

11.—(1) The local authority shall arrange for—

- (a) ante-mortem health inspections and post-mortem health inspections to be carried out at every slaughterhouse in accordance with Schedules 8 and 10 respectively; and
- (b) post-mortem health inspections to be carried out at every farmed game processing facility in accordance with Schedule 10.

(2) Where fresh meat has been passed as fit for human consumption following ante-and post-mortem health inspections it shall be marked in accordance with the requirements of Schedule 12 only if it complies with the requirements of these Regulations, and no other meat shall be so marked.

(3) No person shall remove, or cause or permit to be removed, from a slaughterhouse or a farmed game processing facility any blood intended for human consumption or any carcase or part of a carcase or any offal until it has been inspected in accordance with these Regulations and, in the case of fresh meat passed as fit for human consumption after inspection, until it has been marked in accordance with paragraph (2) above.

(4) The health mark shall be applied by an official veterinary surgeon or by an inspector under the supervision and responsibility of an official veterinary surgeon and the equipment issued by the local authority for applying the health mark shall be used only by such persons; and no other person shall apply the health mark or possess or use the equipment for applying the health mark except that the occupier of any cutting premises or cold store who is acting under the supervision of an official veterinary surgeon may apply the health mark to cuts of meat or affix to meat that is packaged, a label on which the health mark is printed, and the equipment for applying the health mark and any labels on which the health mark is printed shall be kept securely in the room referred to in sub-paragraphs 1(r) of Schedule 2, 1(g) of Schedule 3 and 1(aa) of Part II of Schedule 6 or the facilities referred to in sub-paragraphs 1(o) of Part I of Schedule 5 and 1(y) of Part III of Schedule 6.

(5) No person shall use any mark so resembling a health mark used in accordance with Schedule 12 in such a way as to be likely to suggest that the product has been produced in accordance with these Regulations.

Control of times of slaughter, cutting up and admission or despatch of animals or products from premises

12.—(1) Subject to the provisions of this regulation a local authority may—

- (a) determine the days on which, and the hours in those days between which—
 - (i) animals may be admitted to, or slaughtered in, any slaughterhouse or farmed game handling facility; and
 - (ii) where this is considered necessary to protect public health
 - (aa) the bodies of farmed game may be admitted to a farmed game processing facility;
 - (bb) fresh meat may be admitted to, or despatched from, any premises;
 - (cc) fresh meat may be cut up in any cutting premises; and
- (b) vary the days and hours so determined.

(2) In determining, or varying, the days or hours referred to in paragraph (1) above a local authority shall have regard to—

- (a) the need to secure adequate inspection and supervision for the purposes of these Regulations;
- (b) the need to provide for continuous inspection for the purposes of these Regulations where this is necessary to maintain the flow of production and to avoid disruption of essential trade requirements; and
- (c) the need to avoid demands on that authority's resources which are disproportionate to the size of the business conducted at the premises in question.

(3) Before determining, or varying, the times of operations in any premises under paragraph (1) above the local authority shall consult the occupier of those premises or any other person who operates the premises with the occupier's consent.

(4) The local authority shall give written notice of any determination or variation of the times of operation to the occupier of those premises and to any other person who has been consulted in accordance with paragraph (3) above.

(5) Any such determination or variation shall have effect in accordance with paragraph (10) below at the expiration of one month, beginning with the date of the said notice, unless an objection is made under paragraph (6) below before the determination or variation to which it relates has come into effect.

(6) A person who has been given notice in accordance with the provisions of paragraph (4) above may make objection to the local authority in writing that in determining or varying the times of operation at any premises the authority have not had proper regard to the factors set out in paragraph (2) above, or that due to a change of circumstance the authority should vary in accordance with those factors the times of operation previously determined or varied by them, whereupon the local authority shall reconsider the determination or variation having regard to those factors.

(7) The local authority shall give written notice of any further determination or variation or, where there is none, of their decision to maintain their previous determination or variation to the occupier of the premises concerned, and to any other person who operates the premises with the occupier's consent.

(8) Any such further determination or variation or any such decision shall not have effect in accordance with paragraph (10) below or at all before the expiration of 21 days beginning with the date of the said notice and, where an appeal is made to a magistrates' court or, in Scotland, to the sheriff under paragraph (9) below, before the further determination or variation or decision to which it relates has come into effect, that further determination or variation or decision shall continue not to have effect until the expiration of fourteen days beginning with the date of the dismissal by the magistrates' court or, in Scotland, the sheriff of that appeal.

(9) A person who has been given notice in accordance with paragraph (7) above may appeal to a magistrates' court or, in Scotland, to the sheriff on the ground that in determining or varying, or in refusing to vary, the times of operation at any premises, the local authority have not had proper regard to the factors set out in paragraph (2) above.

(10) Subject to paragraph (11) below, so long as any notice of determination or variation is in effect, the licence in respect of the slaughterhouse or farmed game handling facility shall be treated as being altered by the addition of the requirements specified in that notice and the other provisions of the licence shall be subject to those requirements.

(11) The provisions of paragraph (10) above shall not apply in relation to any animal whose immediate slaughter is necessary by reason of any injury, or other emergency affecting that animal or by reason of the provisions of regulation 21 of the Slaughter of Animals (Humane Conditions) Regulations 1990, or regulation 11 of the Slaughter of Animals (Humane Conditions) (Scotland) Regulations 1990.

Notice of slaughter

13.—(1) Subject to paragraph (2) below and to other provisions of these Regulations, no person shall slaughter, or cause to be slaughtered, in any slaughterhouse or farmed game handling facility any animal intended for sale for human consumption unless he has not less than 24 hours before the time of slaughter or, in the case of farmed game slaughtered in a farmed game handling facility, not less than 72 hours before the time of slaughter, informed the local authority within whose area the place of slaughter is situated of the day and time on, and of the place at, which the slaughter will take place.

(2) Where—

- (a) it is the regular practice in any slaughterhouse or farmed game handling facility to slaughter animals at fixed times on fixed days and written notice of this practice has been given to and accepted by the local authority this shall, as respects any animal slaughtered in accordance with such practice, be regarded as adequate compliance with the requirement in paragraph (1) above;
- (b) by reason of injury or by reason of the provisions of regulation 21 of the Slaughter of Animals (Humane Conditions) Regulations 1990 or regulation 11 of the Slaughter of Animals (Humane Conditions) (Scotland) Regulations 1990, it is necessary that an animal should be slaughtered without delay, the provisions of paragraph (1) above shall be deemed to be satisfied if the local authority is informed of the slaughter as soon as reasonably possible, whether before or after the slaughter takes place.

PART IV

CONDITIONS FOR THE MARKETING OF FRESH MEAT

General Conditions

14.—(1) No person shall, at any time on or after 1st January 1993, sell or offer for sale for human consumption any fresh meat unless—

- (a) it has been obtained from licensed premises which are supervised in accordance with regulation 8 above;
- (b) it comes from an animal which has been subjected to an ante-mortem health inspection in accordance with regulation 19 or Schedule 8 or, in the case of the bodies of farmed game coming from a farmed game handling facility, Schedule 20 and paragraphs 3 to 5 of Schedule 8 and following such inspection has been passed as fit for slaughter for human consumption;
- (c) it has been prepared under hygienic conditions in accordance with the requirements of Schedule 7;
- (d) it comes from the body of an animal which has been subjected to a post-mortem health inspection in accordance with Schedule 10 and which has shown no evidence of disease or other abnormal condition, except for traumatic lesions incurred shortly before slaughter or localised malformations or pathological changes, and it is established that these do not render unfit for human consumption those parts of the carcass or offal not affected by such lesions, malformations or changes;
- (e) it has been given a health mark in accordance with the requirements of Schedule 12;
- (f) it is accompanied during transportation by a commercial document or by a health certificate in accordance with regulation 15 below;
- (g) it has been stored after the post-mortem health inspection under hygienic conditions in licensed premises;
- (h) if it is wrapped or packaged, it has been wrapped or packaged under hygienic conditions in accordance with the requirements of Schedule 13;
- (i) if it is frozen, it has been frozen in accordance with the requirements of Schedule 15;
- (j) if it has been transported from any licensed premises, it has been transported under hygienic conditions in accordance with the requirements of Schedule 17; and
- (k) if it is mechanically recovered meat, it has been handled in accordance with Council Directive [77/99/EEC](#).

(2) No person shall sell or offer for sale for human consumption—

- (a) without prejudice to paragraph 7 of Schedule 12, fresh meat which has been treated with natural or artificial colouring matters;
- (b) fresh meat which has been treated with ionizing or ultra-violet radiation;
- (c) fresh meat from male swine used for breeding or cryptorchid or hermaphrodite swine unless such meat has undergone one of the treatments specified in Council Directive [77/99/EEC](#) and such meat bears a special mark in accordance with the requirements of Schedule 12;
- (d) fresh meat from uncastrated male swine of a carcass weight (excluding the limbs at the carpus and tarsus and the head) exceeding 80 kgs unless—
 - (i) an inspector has tested such meat for pronounced sexual odours and declared it not to have such odours; or

- (ii) without prejudice to the requirement in Part IX of Schedule 10 for boar meat with pronounced sexual odours to be declared unfit where an inspector has detected such meat to have pronounced sexual odours, such meat has undergone one of the treatments specified in Council Directive 77/99/EEC and such meat bears a special mark in accordance with the requirements of Schedule 12;
 - (e) fresh meat from animals to which tenderisers have been administered.
- (3) Subject to paragraph (4) below, no person shall consign or sell for consignment to another member State for human consumption—
- (a) fresh meat obtained from animals slaughtered in accordance with regulation 19(2) below;
 - (b) fresh meat produced, cut up or stored in premises to which the appropriate Minister has granted a temporary derogation while that derogation is in force;
 - (c) fresh meat produced in a low throughput slaughterhouse or in a low throughput farmed game processing facility; or
 - (d) fresh meat cut up in any low throughput cutting premises.
- (4) Paragraph (3) above shall not apply to meat forming part of travellers' luggage and intended for their personal consumption and meat sent as small packages to private persons.
- (5) Sub-paragraphs (1) and (2) shall not apply to fresh meat imported from other member States or third countries, save that fresh meat imported from those countries shall be handled in accordance with these Regulations.
- (6) Sub-paragraphs (1) and (2) above shall not apply to fresh meat which is obtained, cut up or stored prior to 1st January 1993 provided it is handled after that date in accordance with these Regulations and, except in the case of fresh meat obtained, cut up or stored in a premises which was, immediately before 1st January 1993, approved under regulation 4 of the Fresh Meat (Hygiene and Inspection) Regulations 1987, it is not consigned or sold for consignment to another member State.

Transport documentation

15.—(1) The occupier of premises licensed under these Regulations shall ensure that fresh meat (other than slaughtered farmed game transported from a farmed game handling facility to a slaughterhouse or farmed game processing facility in accordance with sub-paragraph 1(g) of Part I of Schedule 6) shall be accompanied during transportation from the premises by—

- (a) in the case of fresh meat intended for consignment to another member State and which—
 - (i) is obtained from a slaughterhouse situated in a region or area subject to a prohibition or restriction under the Animal Health Act 1981; or
 - (ii) will be transported through a third country in a sealed vehiclethe health certificate referred to in Schedule 16;
- (b) in the case of fresh meat intended for consignment to another member State which is not covered by sub-paragraph (1)(a) above by the health certificate referred to in Schedule 16 until 30th June 1993; and from 1st July 1993, by an invoice or delivery note containing the following information:
 - (i) the name and address of the consignor and the consignee;
 - (ii) the approval number of the premises from which the meat is to be transported;
 - (iii) the date of issue of the document and a number enabling it to be identified;
 - (iv) a description of the product transported; and
 - (v) the total quantity despatched;

- (c) in any other case, from 1st July 1993, by an invoice or delivery note containing the information set out in sub-paragraph (1)(b) above.
- (2) Any person who receives fresh meat direct from any licensed premises shall keep the invoice or delivery note referred to in sub-paragraph (1)(b) or (c) for a period of at least one year from the date of receipt.

PART V

ADMISSION TO AND DETENTION IN SLAUGHTERHOUSES AND FARMED GAME PROCESSING FACILITIES OF ANIMALS AND CARCASSES

Alternative accommodation for dirty or dead animals

16.—(1) An official veterinary surgeon, or an inspector acting under the supervision of an official veterinary surgeon, may require the accommodation or alternative methods of operation and facilities referred to in sub-paragraphs 1(d) of Schedule 2 and 1(n) of Part II of Schedule 5 to be used for—

- (a) the slaughtering and dressing of any animal which is brought into a slaughterhouse and which is known to be, or suspected of being, diseased or injured;
- (b) the dressing of any slaughtered and bled animal which is brought into a slaughterhouse in accordance with regulation 19 below

and so long as any requirement to use alternative accommodation in such circumstances, or to prohibit the entry of a dirty animal in the circumstances set out in paragraph (2) below, is in effect, the licence in respect of the premises shall be treated as being altered by the addition of that requirement and the other provisions of the licence shall be subject to that requirement.

(2) An inspector or official veterinary surgeon may require the detention in a lairage, or may prohibit the slaughter of, any animal which in his opinion is so dirty as to be likely to prevent hygienic dressing operations if it is taken into the slaughterhall at that slaughterhouse.

(3) In the case of a slaughtered and bled animal which is brought into a slaughterhouse or farmed game processing facility in accordance with regulation 19 or sub-paragraph (1)(g) of Part 1 of Schedule 6, an inspector or official veterinary surgeon may give notice that in his opinion any such animal is so dirty as to be likely to prevent hygienic dressing operations if it is taken into the slaughterhall at that slaughterhouse or the dressing room at that farmed game processing facility, and if such notice is given the occupier of the premises shall not take the animal in.

(4) When an animal has been required to be detained in a lairage by an inspector or official veterinary surgeon under paragraph (2) above, the occupier of the slaughterhouse or farmed game handling facility shall, if the inspector or official veterinary surgeon requires, clean the animal and present it to an official veterinary surgeon for an ante-mortem inspection to be carried out in accordance with Schedule 8.

(5) No person shall, unless directed by an official veterinary surgeon or a veterinary officer, remove from a slaughterhouse an animal intended for slaughter for human consumption.

Period of time for keeping an animal in a lairage

17.—(1) Without prejudice to the provisions of the Movement and Sale of Pigs Order 1975(8) no person shall keep or permit to be kept in any lairage for a period exceeding 72 hours any animal intended for slaughter unless—

- (a) the official veterinary surgeon gives his consent to such animal being kept in a lairage for a period exceeding 72 hours, which consent shall only be given in exceptional circumstances; and
- (b) such animal is isolated from all other animals in respect of which no such consent has been given.

(2) In this regulation “lairage” means any covered part of a slaughterhouse used for the confinement of animals awaiting slaughter there, but does not include any field, pasture or other open lairage forming part of any slaughterhouse or otherwise.

Conditions on the admission of diseased or injured animals

18. No person shall bring into, or permit to be brought into, a slaughterhouse any animal which he knows or suspects to be diseased or injured unless—

- (a) he has already ensured that such animal is accompanied by a written declaration signed by the owner or person in charge of the animal containing the information specified in Schedule 18 and that declaration is handed to an inspector or an official veterinary surgeon on its arrival at the slaughterhouse; and
- (b) on arrival at the slaughterhouse the animal is either—
 - (i) slaughtered without delay; or
 - (ii) taken without delay under the direction of an inspector or the official veterinary surgeon to that part of the lairage provided for the isolation of such animals.

Conditions on the admission of dead or slaughtered animals

19.—(1) No person shall bring into, or permit to be brought into, or to remain in, a slaughterhouse the body of an animal which has died unless it died in transit to the slaughterhouse and is removed from the slaughterhouse immediately following the carrying out of any necessary examination performed under the Animal Health Act 1981.

(2) No person shall bring into, or permit to be brought into, a slaughterhouse the slaughtered body of an animal, unless—

- (a) it has been bled;
- (b) the animal has undergone an ante-mortem inspection by a veterinary surgeon in accordance with paragraphs 3 to 5 of Schedule 8;
- (c) the animal has been slaughtered as a result of an accident or because it is suffering from a serious physiological or functional disorder;
- (d) the body of the animal has not been dressed;
- (e) the body of the animal is accompanied to the slaughterhouse by the veterinary certificate referred to in Schedule 19, to be handed on arrival at the slaughterhouse to an inspector or official veterinary surgeon; and
- (f) the body of the animal is transported to the slaughterhouse in a container or vehicle under hygienic conditions and, if it cannot be delivered to the slaughterhouse within one hour of slaughter, it is transported there in a container or vehicle under hygienic conditions in which the ambient temperature is between 0°C and +4°C.

(3) Paragraph (2) above shall not apply to the slaughtered and bled body of farmed game which comes from a farmed game handling facility in accordance with Part I of Schedule 6.

PART VI

ADMINISTRATION, PENALTIES AND ENFORCEMENT

Records of inspections

20. Every local authority shall keep in respect of each licensed premises, where appropriate, a record, for the purpose of compliance with the provisions of Council Directive 91/497/EEC, of the results of—

- (a) ante-mortem health inspections;
- (b) post-mortem health inspections; and
- (c) water testing

and the local 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; and shall retain any such record for a period of 3 years from the date of the inspection to which it relates.

Duties of occupier

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

- (a) keep a record adequate to show the number of animals received into, and the amounts of fresh meat despatched from, the premises during each week;
- (b) take all practicable steps to secure compliance by any person employed by him or by any person invited on to the premises, with the provisions of these Regulations;
- (c) ensure that an official veterinary surgeon, inspector or a 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 he shall carry out checks on the general hygiene of conditions of production in his establishment to ensure—
 - (i) that equipment and, if necessary, fresh meat, comply with the requirements of these Regulations;
 - (ii) that a record in permanent form, which shall be made available to the official veterinary surgeon or inspector upon request, is kept in respect of the matters specified in sub-paragraph (i) above for a period of at least two years;
 - (iii) the proper application of the health mark, as provided for in regulation 11(4) above, including any labels on which the health mark is printed;
 - (iv) that the official veterinary surgeon, inspector or the appropriate Minister is notified immediately when any information at the occupier's disposal reveals a serious health risk; and
 - (v) in the event of a serious health risk, the withdrawal of fresh meat which has been obtained under or stored in similar conditions (as the case may be) and is likely to present the same risk.

(2) The occupier of an approved premises shall arrange or establish a staff training programme to enable staff to comply with hygiene appropriate to the operations on those premises.

Offences and penalties

22.—(1) If any person contravenes or fails to comply with any provision of these Regulations he shall be guilty of an offence and shall be liable—

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

(2) No prosecution for an offence under these Regulations 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 sections of the Act

23. The following provisions of the Act shall apply for the purposes of these Regulations as they apply for the purposes of sections 8, 14 or 15 of the Act and, unless the context otherwise requires, any reference in them to the Act shall be construed as a reference to the Regulations—

- (a) section 3 (presumption that food is intended for sale for human consumption);
- (b) section 20 (offences due to fault of other person);
- (c) section 21 (defence of due diligence);
- (d) section 33 (obstruction, etc of officers);
- (e) section 36 (offences by bodies corporate).

Information to be provided by the local authorities

24. Every local authority shall provide the appropriate Minister with such information relating to the execution of its duties under these Regulations as he may from time to time require.

Enforcement

25. These Regulations, except regulations 4, 5, 6 and 9 shall be executed and enforced by the local authority within its area and regulations 4, 5, 6 and 9 shall be executed and enforced by the appropriate Minister.

Revocations

26. The regulations specified in Schedule 23 are hereby revoked to the extent specified in relation thereto in Column 3 of that Schedule.

Amendments

27.—(1) After regulation 4 in the Food Hygiene (Docks, Carriers, etc) Regulations 1960⁽⁹⁾, there shall be inserted the following—

“4A. These Regulations shall not apply to premises to which the Fresh Meat (Hygiene and Inspection) Regulations 1992 apply.”

(2) In the Food Hygiene (Markets, Stalls and Delivery Vehicles) Regulations 1966⁽¹⁰⁾ for subparagraph (b) of the definition of “food business” in regulation 2 there shall be substituted the following—

⁽⁹⁾ S.I. 1960/1602.

⁽¹⁰⁾ S.I. 1966/791.

“(b) so much of any trade or business as consists of the handling of food at any premises or place, other than a market or stall, to which the General Regulations apply or which is listed in regulation 4 of the Docks and Carriers Regulations or any premises to which the Fresh Meat (Hygiene and Inspection) Regulations 1992 apply;”.

(3) In the Food Hygiene (General) Regulations 1970(**11**) for sub-paragraph (b) of regulation 3(2) there shall be substituted the following—

“(b) at any premises or place to which the Food Hygiene (Docks, Carriers, etc) Regulations 1960, or the Fresh Meat (Hygiene and Inspection) Regulations 1992, apply;”.

(4) In the Fresh Meat and Poultry Meat (Hygiene, Inspection and Examinations for Residues) (Charges) Regulations 1990(**12**), for the definition of “health inspection and control exercise” in regulation 2(1) there shall be substituted the following—

““health inspection and control exercise” means an inspection or supervisory function carried out by a food authority at any slaughterhouse, cutting premises or cold store under the Fresh Meat (Hygiene and Inspection) Regulations 1992; except in so far as such functions relate to farmed game meat;”.

(5) In the Food Premises (Registration) Regulations 1991(**13**), for sub-paragraph (e) of regulation 3(2) there shall be substituted—

“(e) as premises in respect of which a licence is required under regulation 4(1) of the Fresh Meat (Hygiene and Inspection) Regulations 1992;”.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 20th August 1992.

L.S.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

Cumberlege
Parliamentary Under Secretary of State for
Health

20th August 1992

Allan Stewart
Parliamentary Under Secretary of State, Scottish
Office

21st August 1992

Wyn Roberts
Minister of State for Wales

21st August 1992

(11) S.I. 1970/1172.
(12) S.I. 1990/2494.
(13) S.I. 1991/2825.