
STATUTORY INSTRUMENTS

1992 No. 2037

The Fresh Meat (Hygiene and Inspection) Regulations 1992

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](#)(1) in respect of one or more of the requirements specified in Schedules 1 to 6, those

(1) OJNo. L268, 24.4.91, p. 105.

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](#)(2).

(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.

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

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

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⁽³⁾ or regulation 11 of the Slaughter of Animals (Humane Conditions) (Scotland) Regulations 1990⁽⁴⁾.

(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.

⁽³⁾ S.I.1990/1242.

⁽⁴⁾ S.I. 1990/1240.