
STATUTORY INSTRUMENTS

1992 No. 3303

Animal By-Products Order 1992

Title and commencement

1. This Order may be cited as the Animal By-Products Order 1992 and shall come into force on 1st January 1993.

Extension of definitions of “Animals” and “Poultry”

2. For the purposes of the Act in its application to this Order—
- (a) the definition of “animals” in section 87(1) of the Act is hereby extended so as to comprise—
 - (i) any kind of mammal except man,
 - (ii) any kind of four-footed beast which is not a mammal and
 - (iii) fish, and
 - (b) the definition of “poultry” in section 87(4) of the Act is hereby extended so as to comprise quails.

Interpretation

3.—(1) In this Order, unless the context otherwise requires—

“the Act” means the Animal Health Act 1981;

“animal” includes poultry;

“animal by-product” means any carcase or part of any animal or product of animal origin not intended for direct human consumption but does not include animal excreta or catering waste or meat cooked at a knacker’s yard for use as food for animals whose flesh is not intended for human consumption;

“approved premises” means premises approved by the Minister under article 8;

“burial” means interment at a depth beyond the reach of carnivorous animals;

“knacker’s yard” means any premises used in connection with the business of slaughtering, flaying or cutting up animals the flesh of which is not intended for human consumption;

“premises” includes land;

“rendering” means subjecting animal by-products at a rendering, fishmeal or other plant to any of the systems of treatment or procedures mentioned in Schedule 4;

“scientific purposes” means diagnostic, educational or research purposes;

“technical or pharmaceutical products” means products intended for purposes other than human food or animal feedingstuffs.

(2) Any reference in this Order to a numbered article or Schedule is a reference to the article or Schedule bearing that number in this Order.

Scope

4.—(1) The provisions of this Order shall not apply to waste food defined in, and required to be processed under, the provisions of the Diseases of Animals (Waste Food) Order 1973(1)

(2) The provisions of this Order shall not apply to hides, skins, hooves, feathers, wool, horns, hair, blood and similar products from animals slaughtered in the normal way which are not used in the manufacture of feedingstuffs but shall apply to such products when originating from animals which (during veterinary inspection at the time of slaughter) show signs of any disease communicable through that product to man or animals.

PART I

DISPOSAL AND PROCESSING OF ANIMAL BY-PRODUCTS

Restriction on disposal of animal by-products referred to in Part I of Schedule 1

5.—(1) Subject to the provisions of paragraphs (2) and (3) below any person who has in his possession or under his control any animal by-product referred to in Part I of Schedule 1 shall dispose of it by one of the following methods, namely—

- (a) by rendering in approved premises;
- (b) by incineration;
- (c) by burial.

(2) Subject to the provisions of paragraph (3) below the provisions of paragraph (1) above shall not apply to—

- (a) the use of any such by-product for scientific purposes;
- (b) the distribution of any such by-product referred to in paragraphs (a), (b) and (c) of Part I of Schedule 1, or use of any such by-product at a knacker's yard or at premises used for feeding zoo, circus or fur animals, recognized packs of hounds or for feeding to maggots farmed for fishing bait;
- (c) the use, under the authority of a licence from the Minister, of any such byproduct for the production of material that has not been fully rendered subject to the final disposal of that by-product in accordance with paragraph (1) above.

(3) The Minister may, if he thinks it expedient to do so, require, by notice, any such byproduct to be disposed of by incineration or burial.

Restriction on disposal of animal by-products referred to in Part II of Schedule 1

6.—(1) Subject to the provisions of paragraph (2) below any person who has in his possession or under this control any animal by-product referred to in Part II of Schedule 1 shall dispose of it by one of the following methods, namely—

- (a) by rendering in approved premises;
- (b) by incineration;
- (c) by burial.

(2) The provisions of paragraph (1) shall not apply to—

- (a) the use of any such by-product for scientific purposes;

(1) [S.I. 1973/1936](#), amended by [S.I. 1987/232](#).

- (b) the distribution of any such by-product to or use of any such by-product at a knacker's yard or at premises used for feeding zoo, circus or fur animals, recognized packs of hounds or for feeding to maggots farmed for fishing bait;
- (c) the collection or use of any such by-product for the preparation of petfood or of technical or pharmaceutical products in premises registered under article 9;
- (d) the use, under the authority of a licence from the Minister of any such byproduct for the production of material that has not been fully rendered, subject to the final disposal of that by-product in accordance with paragraph (1) or (2)(c) above.

(3) Where the use of such by-product is in accordance with paragraph (2)(c) above the Minister may if he thinks it expedient to do so require by notice that it be despatched, stored or processed in a specific location and under specific conditions.

Restrictions on movement of animal by-products

7. No person shall move or cause or permit to be moved any animal by-product from any premises except in accordance with the provisions of Schedule 2.

Approval of animal by-products rendering premises

8.—(1) No person shall, in the course of a business carried on by him, render any animal by-product on any premises unless those premises are approved in writing by the Minister for such purpose.

(2) Any person wishing to obtain approval for use of any premises for the rendering of any animal by-product shall make an application to the Minister in such form and manner as the Minister may require and shall provide all the particulars specified in Schedule 3 in writing.

(3) The Minister—

- (a) shall grant the approval referred to in paragraph (1) above subject to the requirements set out in Part I of Schedule 4 or, as the case may be, Part II of Schedule 4 and to such other conditions as may be specified in the approval;
- (b) may vary, revoke or suspend the approval by notice in writing served on the person to whom the approval was granted; and
- (c) may grant the approval to remain in force until revoked or to expire at a time specified in the approval.

Registration of premises collecting or using animal by-products for petfood, technical or pharmaceutical products

9.—(1) No person shall use any premises (other than premises on which the animal by-products originate) to collect animal by-products intended for the preparation of petfood or for the production of petfood (other than knackers' yards) or technical or pharmaceutical products using animal by-products referred to in Part II of Schedule 1 unless his name is registered in respect of those premises and that product.

(2) The appropriate Minister shall keep, for the purposes of paragraph (1) above, a register of persons entitled to use premises for the collection of material intended for the preparation or production of petfood or technical or pharmaceutical products.

(3) Any application for registration shall be in writing in such form and manner as the appropriate Minister may require.

(4) The appropriate Minister shall, subject to paragraph (5) below, register the applicant's name in respect of those premises and that product and shall issue to the applicant a certificate of such registration.

(5) The appropriate Minister shall refuse to register the name of any person in respect of any premises unless the particulars specified in Schedule 5 are notified to him in writing.

(6) The appropriate Minister shall refuse to register or shall remove the name of any person in respect of any premises if, as the result of an inspection carried out on the premises by a veterinary inspector, he is satisfied that the provisions of article 7 and Schedule 2 or Schedule 6 are not being complied with or cannot be complied with by the date on which registration could otherwise be effected.

(7) A person whose name is registered shall notify the appropriate Minister in writing of any change in the particulars previously notified to him except in the case of information required by paragraph 6 of Schedule 5, such notification to be made within 14 days of any such change.

Registration of premises used for the feeding of animal by-products to zoo, circus or fur animals, recognized packs of hounds and maggot farming for fishing bait

10.—(1) No person shall receive or use on any premises any animal by-product referred to in paragraph (a), (b) or (e) of Part I of Schedule 1 or Part II of Schedule 1 for feeding to zoo, circus or fur animals, recognized packs of hounds and to maggots farmed for fishing bait, unless his name and the address of those premises are registered in respect of those premises.

(2) The appropriate Minister shall keep, for the purposes of paragraph (1) above, a register of persons being persons entitled to use premises for the receipt and use of any animal by-product.

(3) Any application for registration shall be in writing in such form and manner as the appropriate Minister may require.

(4) The appropriate Minister shall, subject to paragraph (5) below, register the applicant's name in respect of those premises and shall issue to the applicant a certificate of such registration.

(5) The appropriate Minister shall refuse to register the name of any person in respect of any premises unless the particulars specified in Schedule 5 are notified to him in writing.

(6) The appropriate Minister shall refuse to register or shall remove the name of any person in respect of any premises, if, as the result of an inspection carried out in the premises by a veterinary inspector, he is satisfied that the provisions of article 7 and Schedule 2 are not being complied with or cannot be complied with by the date on which registration would otherwise be effected.

(7) A person whose name is registered shall notify the appropriate Minister in writing of any change in the particulars previously notified to him except in respect of information required by paragraph 6 of Schedule 5, such notification to be made within 14 days of any such change.

PART II

GENERAL

Transitional provision

11. No person shall be convicted of any offence against section 73 of the Act by virtue of any breach of this Order in relation to any act or omission of his which occurred before 1st July 1993.

Local Authority to enforce Order

12. The provisions of this Order shall, except where otherwise expressly provided, be executed and enforced by the Local Authority.

Inspections, taking samples etc.

13.—(1) An inspector who enters any land, building or other place in exercise of his powers under the Act may—

- (a) carry out such inquiries, examinations and tests, and
- (b) take such samples

as are necessary to ascertain whether the provisions of this Order have been or are being complied with.

(2) An inspector may, for the purposes of identification, mark any animal, poultry, carcase, product or feedingstuff or other thing in relation to which any of the powers in paragraph (1) above has been exercised.

(3) No person shall, or shall attempt to, deface, obliterate or remove any such mark as is referred to in paragraph (2) above.

(4) The occupier of any land, building or other place or any person in his employment shall render such reasonable assistance to an inspector as the inspector may require for the purpose of facilitating the exercise of his powers under paragraphs (1) and (2) above.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd December 1992.

L.S.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

Hector Monro
Parliamentary Under Secretary of State, Scottish
Office

23rd December 1992

29th December 1992

David Hunt
Secretary of State for Wales