
STATUTORY INSTRUMENTS

1994 No. 1029

The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994

**PART I
PRELIMINARY**

Title and commencement

1.—(1) These Regulations may be cited as the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994 and shall come into force on 1st May 1994.

Interpretation

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

“the Act” means the Food Safety Act 1990;

“the 1976 Regulations” means, in relation to England and Wales, the Poultry Meat (Hygiene) Regulations 1976(1) and in relation to Scotland, the Poultry Meat (Hygiene) (Scotland) Regulations 1976(2);

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

“batch” means a quantity of meat of the same species and type produced by or obtained from the same production run and from the same flock of origin;

“birds” means poultry or farmed game birds;

“carcase” means—

- (a) in relation to birds, the whole body of a bird after bleeding, plucking and evisceration, whether or not the heart, liver, lungs, the gizzard, crop and kidneys, the legs at the tarsus, the head, oesophagus or trachea have been removed; and
- (b) in relation to rabbits, the whole body of a rabbit after bleeding, skinning and evisceration, whether or not the limbs at the carpus and tarsus, the head and tail have been removed;

“carcase parts” means parts of a carcase;

“cold store” means any premises, not forming part of a slaughterhouse, cutting premises or re-wrapping centre, 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;

(1) S.I. 1976/1209; amended by S.I. 1990/2494 and the instruments specified as items 2 to 8 in column 1 of Schedule 23 to these Regulations.
(2) S.I. 1976/1221 (S. 103); amended by S.I. 1990/2494 and the instruments specified as items 10 to 15 in column 1 of Schedule 23 to these Regulations.

“Council Directive 71/118/EEC” means Council Directive [71/118/EEC](#) on health problems affecting the production and placing on the market of fresh poultrymeat⁽³⁾, as amended and updated by Council Directive [92/116/EEC](#)⁽⁴⁾;

“Council Directive 91/495/EEC” means Council Directive [91/495/EEC](#) concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat⁽⁵⁾ as amended by Council Directive [92/65/EEC](#)⁽⁶⁾;

“country of destination” means a member State to which fresh meat is sent from any other member State;

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

“cutting up” means cutting carcasses into smaller cuts or removing bones from carcasses or parts of carcasses;

“farmed game birds” means birds, other than poultry, which are not generally considered domestic but which are bred, reared and slaughtered in captivity;

“farmed game meat” means the meat of farmed game birds;

“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 ready-cooked 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;

“handling” includes the cutting up, storing, packaging, wrapping or re-wrapping of fresh meat and the preparation of fresh meat for any such purpose or for sale;

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

“inspector” means an authorised officer who—

- (a) has a qualification specified in Schedule 16; and
- (b) is appointed as an inspector in accordance with regulation 8(2);

“licensed”, in relation to any slaughterhouse, cutting premises, cold store or re-wrapping centre, means licensed by the Minister under regulation 4;

“local market” means a market held in the same locality as, or in a neighbouring locality to, that in which the premises in question are situated;

“locality” means the area comprised within the boundary of—

- (a) in relation to England:
 - (i) a metropolitan county named in Part I or a non-metropolitan county named in Part II of Schedule 1 to the Local Government Act 1972⁽⁷⁾,

(3) OJNo. L55, 8.3.71, p. 23 (OJ/SE 1971 vol. I, p. 106).

(4) OJ No. L62, 15.3.93, p. 1.

(5) OJ No. L268, 24.9.91, p. 41.

(6) OJ No. L268, 14.9.92, p. 54.

(7) 1972 c. 70.

- (ii) the Isles of Scilly, which shall be regarded as one locality,
- (iii) Greater London, as defined in section 2(1) of the London Government Act 1963⁽⁸⁾,
- (b) in relation to Wales, a county named in Part I of Schedule 4 to the Local Government Act 1972 save that the counties of Mid Glamorgan, South Glamorgan and West Glamorgan shall be regarded as one locality, and
- (c) in relation to Scotland, a region named in Part I or an island area named in Part II of Schedule 1 to the Local Government (Scotland) Act 1973⁽⁹⁾;

subject, in relation to a county in England or Wales or a London Borough comprised within the area of Greater London referred to in this definition, to any alterations made under Part IV of the Local Government Act 1972 and in relation to a region in Scotland, to any alterations made under Part II of the Local Government (Scotland) Act 1973.

“low throughput”—

- (a) in relation to a slaughterhouse means a throughput of not more than 150,000 birds or 300,000 rabbits each year;
- (b) in relation to a cutting premises not forming part of a slaughterhouse licensed under regulation 4(3), means a production of not more than 3 tonnes of cut up fresh meat each week;

“meat” means all parts of a bird or rabbit which are fit for human consumption;

“occupier” means any person carrying on the business of a slaughterhouse, cutting premises, cold store or re-wrapping centre (either separately or together) or his duly authorised representative and, in relation to an application in respect of any such premises for a licence under regulation 4, includes the owner of those premises, the person proposing to occupy those premises and the duly authorised representative of any such person;

“offal” means fresh meat other than that of the carcase, whether or not naturally connected to the carcase, including the head and feet where these are presented separate from the carcase;

“official veterinary surgeon” means a veterinary surgeon designated by the Minister under regulation 9;

“packaging”, in relation to fresh meat, means the placing of wrapped meat in a container, as well as the container itself;

“permitted preservative” means a preservative the use of which in foodstuffs is permitted under the Preservatives in Food Regulations 1989⁽¹⁰⁾ and the Preservatives in Food (Scotland) Regulations 1989⁽¹¹⁾;

“plant inspection assistant” means a person who is authorised in accordance with regulation 11;

“post-mortem health inspection” means the inspection of slaughtered birds or rabbits in a slaughterhouse in accordance with regulation 14(1)(d) and Schedule 9;

“poultry” means domestic fowls, turkeys, guinea fowls, ducks and geese;

“poultry meat” means the meat of poultry;

“pre-slaughter health inspection” means the inspection of live birds or rabbits in accordance with regulation 14(1)(b) and Schedule 7;

“premises” means any slaughterhouse, cutting premises, cold store or re-wrapping centre or a combination of some or all such premises;

⁽⁸⁾ 1963 c. 33.

⁽⁹⁾ 1973 c. 65.

⁽¹⁰⁾ S.I. 1989/533; to which there are amendments not relevant to these Regulations.

⁽¹¹⁾ S.I. 1989/581 (S.66); to which there are amendments not relevant to these Regulations.

“producer” means the person who owns or is in charge of any birds or rabbits and the duly authorised representative of any such person;

“production report” means the report referred to in paragraph 1(b)(ii) of Schedule 7;

“rabbit” means a domestic rabbit and “rabbit meat” shall be construed accordingly;

“restricted sale” means a sale of any fresh meat from any premises—

- (a) direct to the final consumer at those premises, other than by mail order or itinerant sale; or
- (b) direct to the final consumer at a local market; or
- (c) to a retailer who sells direct to the final consumer, other than by itinerant sale or mail order, where such retailer pursues his trade in the same locality as, or in a neighbouring locality to, that in which those premises are situated;

“re-wrapping centre” means any premises where consignments of fresh meat intended for sale are packaged, wrapped or re-wrapped;

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

“slaughterhouse” means any building, premises or place for slaughtering birds or rabbits, the flesh of which is intended for sale for human consumption and includes any place available in connection therewith for the confinement of birds or rabbits awaiting slaughter there;

“small wild game” has the same meaning as in Article 2(1)(c) of Council Directive [92/45/EEC](#) on public health and animal health problems relating to the killing of wildgame and the placing on the market of wild-game meat⁽¹²⁾;

“specified group” means—

- (a) in relation to birds, two or more birds from the same flock, farm or housing or in the same free range, and
- (b) in relation to rabbits, two or more rabbits from the same farm or housing or in the same free range;

“third country” means a country other than a member State of the European Community;

“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, oesophagus and, in relation to birds, the crop;

“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) Other expressions used in these Regulations have, in so far as the context admits, the same meanings as—

- (a) in relation to poultrymeat, in Council Directive [71/118/EEC](#);
- (b) in relation to rabbit meat and farmed game meat, in Council Directive [91/495/EEC](#); and
- (c) in relation to poultry meat, rabbit meat and farmed game meat, in Council Directive [91/494/EEC](#) on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultry meat⁽¹³⁾ as amended by Council Directive [93/121/EEC](#)⁽¹⁴⁾.

⁽¹²⁾ OJ No. L268, 14.9.92, p. 35.

⁽¹³⁾ OJ No. L268, 24.9.91, p. 35.

(4) Nothing in these Regulations shall be construed as derogating from the provisions of the Animal Health Act 1981⁽¹⁵⁾ or of any Order made thereunder.

Exemptions

3.—(1) These Regulations shall not apply to—

- (a) premises where fresh meat is cut up, stored or re-wrapped for sale from those premises to the final consumer;
- (b) subject to paragraphs (2), (3) and (4) below, premises with an annual production of less than 10,000 birds or rabbits which sell fresh meat in small quantities either—
 - (i) direct to the final consumer at those premises; or
 - (ii) direct to the final consumer at a local market; or
 - (iii) to retailers who sell direct to the final consumer where such retailers pursue their trade in the same locality as, or in a neighbouring locality to, that in which those premises are situated; or
 - (iv) at a market other than a local market, during the period of two weeks which immediately precede Christmas day and Easter Sunday each year;
- (c) a cold store, where all the fresh meat stored in that cold store has been wrapped and packaged ready for immediate delivery to the final consumer, and—
 - (i) is intended for sale to the final consumer at those premises, or
 - (ii) is intended for delivery to retail traders in Great Britain who sell direct to the final consumer;
- (d) fresh meat intended for exhibition, special studies or analysis provided that such meat is not used for human consumption and, except in the case of such meat used for analysis, it is destroyed after such exhibition or special study, as the case may be;
- (e) fresh meat intended exclusively for sale to international organisations;
- (f) fresh meat intended for uses other than human consumption;
- (g) any person engaged in any activity described in sub-paragraphs (a), (b), (c), (d), (e) or (f) above, or to any vehicle used for such purpose.

(2) The exemption in paragraph (1)(b) above shall not apply to any itinerant sale or sale by mail order.

(3) Notwithstanding the exemption in paragraph (1)(b) above, no person shall sell poultry in the form of the whole body of any slaughtered and plucked poultry, at a market, unless it bears on or there is attached to each such body a label or other marking clearly indicating the name and the address of the premises where such poultry was slaughtered and plucked.

(4) Notwithstanding the exemption in paragraph (1)(b) above, the occupier of any such premises shall—

- (a) keep a record in adequate form to show the number of birds, rabbits, or both, as appropriate, identified by species, received into, and the amounts of fresh meat despatched from those premises during each week;
- (b) retain such record for a period of one year from the date of such record; and
- (c) make such record available to an authorised officer of the food authority upon request.

⁽¹⁴⁾ OJ No. L340, 31.12.93, p. 39.

⁽¹⁵⁾ 1981 c. 22.

PART II

LICENSING OF SLAUGHTERHOUSES, CUTTING PREMISES, COLD STORES AND RE-WRAPPING CENTRES

Issue of licences

4.—(1) Subject to paragraph (2) below, no person shall use any premises as a slaughterhouse, cutting premises, cold store or re-wrapping centre unless those premises are currently licensed.

(2) Paragraph (1) above shall not apply until 1st August 1994, to—

- (a) low throughput premises;
- (b) premises, other than low throughput premises, the supply of fresh meat from which before the coming into force of these Regulations was exempt under the proviso to regulation 3 of the 1976 Regulations;
- (c) premises, other than low throughput premises, the occupier of which holds a licence issued under the 1976 Regulations on or before 30th April 1994 and which is valid at that date;
- (d) cold stores;
- (e) re-wrapping centres;
- (f) premises used as a slaughterhouse, cutting premises, cold store or re-wrapping centre for the slaughter or handling of farmed game meat or rabbit meat, or both, only.

(3) Without prejudice to paragraphs (10), (11) and (12) below, the Minister on application made to the Minister under this regulation—

(a) shall, subject to paragraph (8) below, license the premises to which the application relates as—

(i) a slaughterhouse if either—

- (aa) the Minister is satisfied that the premises comply with the requirements of Schedules 1 and 2; or
- (bb) the occupier of the premises has agreed a work plan with the Minister to carry out and complete works at the premises necessary to comply with the requirements of Schedules 1 and 2 on or before 1st August 1996, and the supply of fresh meat from those premises before 1st May 1994 was exempt under the proviso to regulation 3 of the 1976 Regulations,

and (in either case) that the method of operation in those premises complies with the requirements of Schedules 6 to 9;

(ii) a low throughput slaughterhouse if either—

- (aa) the Minister is satisfied that it complies with the requirements of Parts I and II of Schedule 5; or
- (bb) the occupier of the premises has agreed a work plan with the Minister to carry out and complete works at the premises necessary to comply with the requirements of Parts I and II of Schedule 5 on or before 1st August 1996,

and (in either case) that the method of operation in those premises complies with the requirements of Schedules 6 to 9;

(iii) cutting premises if either—

- (aa) the Minister is satisfied that the premises comply with the requirements of Schedules 1 and 3; or

- (bb) the occupier of the premises has agreed a work plan with the Minister to carry out and complete works at the premises necessary to comply with the requirements of Schedules 1 and 3 on or before 1st August 1996 and the supply of fresh meat from those premises before 1st May 1994 was exempt under the proviso to regulation 3 of the 1976 Regulations,
and (in either case) that the method of operation in those premises complies with the requirements of Schedules 6 and 10;
 - (iv) low throughput cutting premises if either—
 - (aa) the Minister is satisfied that they comply with the requirements of Part I of Schedule 5; or
 - (bb) the occupier of the premises has agreed a work plan with the Minister to carry out and complete works at the premises necessary to comply with the requirements of Part I of Schedule 5 on or before 1st August 1996,
and (in either case) that the method of operation in those premises complies with the requirements of Schedules 6 and 10;
 - (v) a cold store if the Minister 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 Schedule 6 and Schedule 12;
 - (vi) a re-wrapping centre if the Minister is satisfied that the premises comply with the requirements of Schedule 1 and that the method of operation in those premises complies with the requirements of Schedules 6, 12 and 13; and
- (b) shall refuse so to license those premises if the Minister is not so satisfied.
- (4) Each application for a licence under this regulation shall be made in writing to the Minister by the occupier of the premises to which the application relates.
- (5) The Minister shall notify the food authority in writing of each such application.
- (6) Where a food authority has been notified under paragraph (5) above of an application for the licensing of any premises, it shall, within 14 days after receipt of such notification, submit to the Minister—
- (a) written notification that it is making arrangements for the appointment of an adequate number of official veterinary surgeons to supervise those premises as required by regulation 8; and
 - (b) where appropriate, written representations relating to that application, a copy of which it shall send to the occupier.
- (7) Within 14 days after the receipt of a copy of any representations submitted by the food authority under paragraph (6) above the occupier may submit written observations on those representations to the Minister.
- (8) In determining whether or not to license any premises under paragraph (3) above the Minister shall have regard to—
- (a) any representations submitted by the food authority under paragraph (6) above; and
 - (b) any observations submitted by the occupier under paragraph (7) above.
- (9) The Minister shall notify the occupier and the food authority in writing of the Minister's decision on each application for a licence under this regulation and of the reasons for any refusal to license such premises.
- (10) Any licence granted in respect of any premises under this regulation shall be subject to the condition that any significant alteration to the premises or the equipment in those premises or the method of operation in those premises shall comply with the provisions of these Regulations.

(11) In granting a licence in respect of any premises under this regulation the Minister may make that licence subject to conditions in respect of any rabbits or species of bird which shall be slaughtered or handled there.

(12) In granting a licence in respect of a cold store the Minister may make that licence 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.

(13) Where the Minister has refused to grant a licence under this regulation or granted a licence subject to any condition imposed pursuant to paragraph (11) or (12) above, the notification under paragraph (9) 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 Minister may revoke a licence granted by the Minister under regulation 4 in respect of any premises 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 food authority and, if it appears to the Minister to be appropriate, the occupier, the Minister is satisfied that—

- (a) the conditions of hygiene at those premises are inadequate and the occupier has failed to take the necessary measures to make good the shortcoming within such period as the Minister may specify; or
- (b) any requirement of these Regulations as to hygiene 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 agreement made by the occupier with the Minister to carry out and complete any works referred to in regulation 4(3)(a)(i), (ii), (iii) or (iv) has not been complied with; or
- (d) the condition referred to in regulation 4(10) or any other condition attached to the licence in accordance with regulation 4(11) or (12) has not been complied with; or
- (e) the business carried on at the premises in respect of which the licence was granted is no longer being carried on there.

(2) The Minister shall forthwith notify in writing the occupier and the food authority of the Minister's 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 must 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 must be lodged.

Appeals Tribunal

6.—(1) Where the Minister has refused to license any premises or has granted a licence with conditions unacceptable to the occupier of the premises under regulation 4 or has revoked the licence of any premises under regulation 5, the occupier of those premises may, within 28 days of being notified of that decision in accordance with regulation 4(9) or 5(2), appeal to a Meat Hygiene Appeals Tribunal.

(2) The provisions of Schedule 15 shall apply in respect of the constitution, appointment of members, remuneration of members and staffing of a Meat Hygiene Appeals Tribunal.

(3) Where on an appeal under paragraph (1) above a Meat Hygiene Appeals Tribunal—

- (a) determines that the issue of a licence under regulation 4 should not be refused by the Minister; or

(b) determines that any condition imposed by the Minister under regulation 4(11) or (12) is unreasonable; or

(c) reverses the decision of the Minister under regulation 5, to revoke a licence;

the Minister shall give effect to the determination of the Tribunal.

(4) Without prejudice to sections 9 to 13 of the Act, where the 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 or re-wrapping centre (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 of a bird or rabbit not intended for sale for human consumption

7.—(1) Subject to paragraph (2) below, no person shall use or cause to be used any slaughterhouse for the slaughter of any bird or rabbit not intended for sale for human consumption.

(2) Paragraph (1) above shall not apply in respect of the use of a slaughterhouse for the slaughter of a bird or rabbit not intended for sale for human consumption if—

(a) that bird or rabbit is slaughtered in a different room or at a different time from any bird or rabbit intended to be slaughtered for sale for human consumption; and

(b) appropriate steps are taken to prevent the contamination of fresh meat in that slaughterhouse.

PART III

SUPERVISION AND CONTROL OF PREMISES

Supervision of premises

8.—(1) Subject to paragraph (5) below, every food authority shall, in relation to any licensed premises appoint one or more official veterinary surgeons, in each case to be an authorised officer of that authority, authorised to act in relation to the examination and seizure of meat, to provide the health certification of fresh meat in accordance with regulation 15 and to be responsible for the following functions in relation to those premises, that is to say—

(a) the authorisation of slaughter of birds or rabbits in accordance with Schedule 7;

(b) the post-mortem health inspection of slaughtered birds or rabbits in accordance with Schedule 9;

(c) the supervision of the health marking of fresh meat in accordance with Schedule 11;

(d) securing, in accordance with these Regulations, the observance of the requirements of Schedules 1, 2, 3, 4, 5, 6, 8, 10, 12, 13 and 14, as appropriate; and

(e) the carrying out of any necessary training of plant inspection assistants and the supervision of plant inspection assistants.

(2) Subject to paragraphs (4) and (5) below, every food authority shall, in relation to any licensed premises, appoint such number of 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.

(4) In considering whether it is necessary to appoint any inspector or inspectors in relation to any licensed premises, the food authority shall have proper regard to the availability at those premises of any plant inspection assistants.

(5) Paragraphs (1) and (2) above shall not apply—

- (a) until 1st August 1994, to the premises referred to in regulation 4(2)(b), (d), (e) and (f);
- (b) until 1st August 1994, to low throughput premises other than low throughput premises referred to in sub-paragraph (c) below; and
- (c) until 1st April 1995, to low throughput premises which make restricted sales only.

Designation of official veterinary surgeons

9.—(1) The 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 these Regulations.

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

(3) Where the Minister revokes or suspends a designation under paragraph (2) above the Minister shall, as soon as possible, give to the person whose designation has been revoked or suspended a notice in writing of the reasons for such revocation or suspension and shall afford him an opportunity of making representations in writing to the Minister with regard to the revocation or suspension or of being heard by a person appointed for the purpose by the 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 Minister under this paragraph, the Minister shall reconsider whether that person is unfit or has been unwilling to perform one or more of the functions of an official veterinary surgeon under these Regulations and shall reconsider, as soon as practicable, the Minister's 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 in respect of any premises to which he is appointed—

- (a) any of the requirements of these Regulations as to hygiene is clearly being breached; or
- (b) adequate health inspection in accordance with these Regulations is being hampered; or
- (c) the requirements of regulation 18(3) have not been complied with;

he may by notice in writing given to the occupier of those premises—

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

(2) Before giving notice under paragraph (1) above, the official veterinary surgeon shall consult with the food authority unless he reasonably considers that—

- (a) it is necessary for the protection of public health to give such notice without delay, and
- (b) it is not practicable to consult the food authority before giving such notice.

(3) 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, in accordance with the provisions of section 37(3) to (5) of the Act.

(4) A notice given under paragraph (1) above shall specify the breach of the Regulations that has occurred, the action needed in order to remedy it and the details specified in section 37(6) of the Act; and—

- (a) such a notice shall be withdrawn by a further notice in writing given by an official veterinary surgeon or by an inspector acting under the authority of the official veterinary surgeon, to the occupier of the premises as soon as an official veterinary surgeon or such inspector 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.

(5) The official veterinary surgeon giving a notice under paragraph (1) above shall send a copy of that notice to the food authority and the Minister.

(6) An official veterinary surgeon, in relation to any premises to which he is appointed, or a veterinary officer, may subject any bird or rabbit 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, where he reasonably considers it necessary for the protection of public health, by notice in writing given to the occupier of any such premises, state that he requires to examine any specified group, bird or rabbit, carcase, or meat specified in the notice, on the premises and once such notice is received the occupier shall detain any such specified group, bird or rabbit, carcase or meat until such time as he is informed in writing, as soon as practicable, by the official veterinary surgeon, or veterinary officer or inspector (as the case may be) that the result of any such examination has been obtained.

(7) 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 these Regulations are being complied with and the official veterinary surgeon shall comply with those directions; the veterinary officer shall notify the food authority of any such directions given by him.

Authorisation of plant inspection assistants

11.—(1) The Minister may, in relation to any licensed premises authorise persons employed at those premises to act as plant inspection assistants in relation to the function specified in paragraph 1 of Part I of Schedule 9.

(2) No person shall act as a plant inspection assistant unless—

- (a) that person is authorised under paragraph (1) above; and
- (b) that person is supervised by an official veterinary surgeon.

(3) Subject to paragraphs (4) and (5) below, the Minister may at any time revoke or suspend the authorisation of any person as a plant inspection assistant if it appears to the Minister, on the basis of a report by a veterinary officer or an official veterinary surgeon, that—

- (a) such person is unfit to perform the function specified in paragraph 1 of Part I of Schedule 9 or has failed to perform such function in accordance with these Regulations;
- (b) such person ceases to be employed at the premises in relation to which he was authorised to act.

(4) Where the Minister revokes or suspends an authorisation granted under paragraph (1) above the Minister shall, as soon as possible, give to the person whose authorisation has been revoked or

suspended notice in writing of the reasons for such revocation or suspension and shall afford him an opportunity of making representations in writing to the Minister with regard to the revocation or suspension or of being heard by a person appointed for the purpose by the Minister.

(5) A notice given under paragraph (4) 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 that person making any representations (whether orally or in writing) to the Minister under this paragraph, the Minister shall reconsider whether that person is unfit to act or has failed to perform his functions as a plant inspection assistant under these Regulations and shall reconsider, as soon as practicable, the Minister's decision to revoke or suspend the authorisation under paragraph (3) above in the light of those representations.

Inspection and health marking

12.—(1) Subject to paragraph (2) below, the food authority shall—

- (a) arrange for pre-slaughter health inspections to be carried out and authorise the slaughter of birds or rabbits in accordance with Schedule 7, and
- (b) arrange for post-mortem health inspections to be carried out at every slaughterhouse in accordance with Schedule 9.

(2) Paragraph (1) above and paragraph (5) below shall not apply—

- (a) until 1st August 1994, to the premises referred to in regulation 4(2)(b), (d), (e) and (f); or
- (b) until 1st August 1994, to low throughput premises other than low throughput premises referred to in sub-paragraph (c) below;
- (c) until 1st April 1995, to low throughput premises which make restricted sales only.

(3) The health marking in accordance with Schedule 11 shall be applied to all fresh meat which has been passed as fit for human consumption following pre-slaughter and post-mortem health inspections and which complies with the requirements of these Regulations.

(4) The health mark shall not be applied to—

- (a) any fresh meat which does not satisfy the requirements specified in paragraph (3) above; or
- (b) any uneviscerated poultry or uneviscerated farmed game birds.

(5) No person shall remove, or cause or permit to be removed, from licensed premises 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 (3) above.

(6) No person shall remove, or cause or permit to be removed, from a licensed premises any body of a bird—

- (a) unless it is accompanied by the health attestation shown in Schedule 20; or
- (b) in the case of uneviscerated poultry, until the surface of the body of that bird has been inspected and the bird passed as fit for human consumption.

(7) The health mark shall be applied under the supervision and responsibility of an official veterinary surgeon who may be assisted by an inspector.

(8) No person shall use any mark so resembling a health mark used in accordance with Schedule 11 in such a way as to be likely to suggest that the product has been produced in accordance with these Regulations.

Notice of slaughter

13.—(1) Subject to paragraph (3) below, no person shall slaughter, or cause to be slaughtered, in any slaughterhouse any bird or rabbit intended for sale for human consumption unless he has notified, in accordance with paragraph (2) below, the food 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) The notification referred to in paragraph (1) above shall be given to the food authority not less than 72 hours before the time of such slaughter except where the food authority has agreed with the person required to give such notice that it will accept notice of a shorter duration, in which case such person shall give to that food authority notice of such agreed duration.

(3) Where it is the regular practice in any slaughterhouse to slaughter birds or rabbits at fixed times on fixed days and written notice of this practice has been given to and accepted by the food authority this shall, as respects any birds or rabbits slaughtered in accordance with such practice, be regarded as adequate compliance with the requirements in paragraphs (1) and (2) above.

PART IV

CONDITIONS FOR THE MARKETING OF FRESH MEAT

General conditions

14.—(1) Subject to paragraphs (5), (6), (7) and (8) below, no person shall at any time on or after 1st May 1994, sell for human consumption any fresh meat unless—

- (a) it has been obtained from licensed premises or from premises which are supervised in accordance with regulation 8;
 - (b) it comes from a bird or rabbit which has been subjected to a pre-slaughter health inspection in accordance with Schedule 7 and following such inspection has been passed as fit for slaughter for human consumption, and has been slaughtered thereafter;
 - (c) it has been chilled and prepared under hygienic conditions in accordance with Schedule 8;
 - (d) it comes from the body of a bird or rabbit which has been subjected to a post-mortem health inspection in accordance with Schedule 9 and which has shown no evidence of disease or other abnormal condition except for localised lesions or contaminations which have been removed and which do not render the remainder of the carcass unfit for human consumption;
 - (e) it has been given a health mark in accordance with Schedule 11;
 - (f) it is accompanied during transportation by either—
 - (i) a health certificate, or
 - (ii) an invoice or delivery note; in accordance with regulation 15;
 - (g) if it has been stored in any licensed premises, it has been stored in accordance with Schedule 12;
 - (h) if it is wrapped or packaged, it has been wrapped or packaged under hygienic conditions in accordance with Schedule 13; and
 - (i) if it has been transported to, or from, any licensed premises, it has been transported under hygienic conditions in accordance with Schedule 14.
- (2) Subject to paragraphs (5) and (9) below no person shall sell for human consumption—
- (a) fresh meat which—
 - (i) has been treated with an antibiotic or tenderiser;

- (ii) has been marked with a colourant other than in accordance with regulation 12(3) and Schedule 11;
 - (iii) has not been eviscerated;
 - (iv) has been treated with a preservative other than a permitted preservative; or
 - (v) has been cooled, immediately after evisceration and post-mortem health inspection, by a means of immersion in water which is not in accordance with the requirements of paragraphs 10 and 11 of Schedule 8;
- (b) rabbit meat or farmed game meat which has been treated with ionizing or ultra-violet radiation.
- (3) Subject to paragraph (4) below, no person shall consign or sell for consignment to another member State for human consumption—
- (a) fresh meat produced in a low throughput premises;
 - (b) fresh meat cut up in a low throughput cutting premises;
 - (c) fresh meat which has been marked in accordance with paragraph 6 of Schedule 11;
 - (d) rabbit meat or farmed game meat which has been treated with ionizing or ultra-violet radiation;
 - (e) farmed game meat which has not been eviscerated;
 - (f) fresh meat which has been obtained from a specified group subject to a programme for the control of infectious disease.
- (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) Paragraphs (1) and (2) above shall not apply to fresh meat imported into Great Britain from any other part of the British Islands, another member State, or a third country, save that such imported fresh meat shall be handled and transported in accordance with these Regulations.
- (6) Paragraph (1) above shall not apply until 1st August 1994 to the sale of fresh meat obtained from—
- (a) any of the premises referred to in regulation 4(2)(b), (d), (e) or (f); or
 - (b) any low throughput premises other than by way of a restricted sale.
- (7) Paragraph (1) above shall not apply until 1st April 1995 to the sale of fresh meat obtained from low throughput premises if that sale is either—
- (a) a restricted sale; or
 - (b) by a retailer to whom that fresh meat was sold by way of a restricted sale.
- (8) Without prejudice to regulation 23 of the Food Hygiene (Markets, Stalls and Delivery Vehicles) Regulations 1966⁽¹⁶⁾ (transport of meat), paragraph (1)(i) above shall not apply in relation to the transportation of any fresh meat from any licensed premises, on sale, direct to the final consumer or to a retailer in Great Britain.
- (9) Paragraph (2)(a)(iii) above shall not apply until 1st May 1997, in relation to the sale for human consumption of uneviscerated poultry meat in the form of whole bodies only, by an occupier of premises who was lawfully engaged in the sale of such uneviscerated poultry from those premises, before the date on which these Regulations came into force.
- (10) Without prejudice to regulation 12(4)(b), the requirements as to slaughter and evisceration specified in Schedule 8 shall not apply in relation to the production for sale in Great Britain of partially eviscerated or non-eviscerated farmed game birds in a slaughterhouse or cutting premises—

⁽¹⁶⁾ S.I. 1966/791; relevant amending instrument is S.I. 1992/2037.

- (a) which was lawfully engaged in such production before 24th September 1991, and
- (b) to the occupier of which, at the request of such occupier, the Minister has granted in writing an exemption from those requirements in pursuance of Article 9 of Council Directive 91/495/EEC.

Transport documentation

15.—(1) Subject to paragraph (3) below, the occupier of premises licensed under these Regulations shall ensure that fresh meat is accompanied during transportation from those premises by—

- (a) in the case of fresh meat intended for consignment to another member State—
 - (i) which will be transported through a third country in a sealed means of transport, or
 - (ii) which is obtained from a slaughterhouse situated in a region or area subject to a prohibition or restriction under the Animal Health Act 1981⁽¹⁷⁾,
a health certificate in the form specified in Schedule 18 or Schedule 19, as appropriate;
- (b) in the case of fresh meat intended for consignment to another member State, a region of another member State, or a region of the United Kingdom outside Great Britain, which is recognised in accordance with Article 12(2) of Council Directive 90/539/EEC⁽¹⁸⁾ as amended⁽¹⁹⁾, in relation to its Newcastle disease status, the health certificate in the form specified in Schedule 18;
- (c) in any other case 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 such invoice or delivery note and a number enabling it to be identified;
 - (iv) a description of the product transported;
 - (v) the total quantity despatched;
 - (vi) the particulars provided for in paragraphs 1 and 4 of Schedule 11.

(2) Subject to paragraph (3) below, any person who receives fresh meat direct from any licensed premises shall keep the invoice or delivery note referred to in paragraph (1)(c) above for a period of at least one year from the date of receipt.

(3) Paragraphs (1) and (2) above shall not apply where the fresh meat is being transported from licensed premises direct to the final consumer or to a retailer in Great Britain.

PART V

SLAUGHTER, PROHIBITIONS AND CONDITIONS

Prohibition and conditions of slaughter

16.—(1) An official veterinary surgeon or an inspector acting under the supervision of an official veterinary surgeon may require the occupier of any licensed premises or the producer of any specified group, bird or rabbit—

⁽¹⁷⁾ 1981 c. 22.

⁽¹⁸⁾ OJ No. L303, 31.10.90, p. 6.

⁽¹⁹⁾ relevant amending instrument is Council Directive 93/120/EEC (OJ No. L340, 31.12.93, p. 35).

- (a) not to slaughter for human consumption any bird or rabbit in respect of which there is evidence that it would be unfit for such consumption;
 - (b) not to slaughter for human consumption any bird or rabbit in respect of which clinical symptoms of ornithosis or salmonellosis have been established, or any other bird or rabbit from the specified group from which that bird or rabbit, as the case may be, came.
- (2) An official veterinary surgeon shall require any slaughter of a specified group which is subject to a programme for control of infectious disease under the Zoonoses Order 1989(20) to be subject to the following conditions—
- (a) that all necessary precautions are taken by the occupier of the licensed slaughterhouse or low throughput slaughterhouse or the producer of the specified group, bird or rabbit, as the case may be, to avoid contamination of other birds or rabbits;
 - (b) that slaughter shall take place at the end of the current slaughtering period at that slaughterhouse or under such conditions that compliance with sub-paragraph (a) of this paragraph is ensured;
 - (c) that any equipment, instruments, fittings and facilities used in such slaughter are thoroughly cleansed and disinfected immediately after such use.
- (3) A food authority may authorise the slaughter of a specified group, bird or rabbit which is subject to a requirement not to slaughter given under paragraph (1) above, upon application to that authority by the producer of that specified group, bird or rabbit, as the case may be.
- (4) A food authority may authorise the slaughter of a specified group, bird or rabbit under paragraph (3) above subject to the condition that—
- (a) the meat obtained from that specified group, bird or rabbit, as the case may be, shall not be used for human consumption; and
 - (b) the conditions specified in paragraph (2) above are complied with.
- (5) Failure to comply with—
- (a) a requirement made under paragraph (1) above; or
 - (b) a condition imposed under paragraph (2) above; or
 - (c) a condition of an authorisation for slaughter made under paragraph (4) above;
- shall be deemed to be a failure to comply with these Regulations.

PART VI

ADMINISTRATION, PENALTIES AND ENFORCEMENT

Records of inspections

17.—(1) The official veterinary surgeon shall record the results of the pre-slaughter health inspections and post-mortem health inspections carried out by him or under his supervision and where any such inspection reveals the presence of any transmissible disease in any birds or rabbits, he shall immediately notify the food authority, the Minister, the occupier of the slaughterhouse and the producer of the birds or rabbits in question of such presence.

(2) Every food authority shall keep in respect of each licensed premises, where appropriate, a record of the results of post-mortem health inspections and the food authority shall supply to the Minister copies of any such records kept by that authority as the Minister may from time to time

require, and shall retain any such record for a period of one year from the date of the inspection to which it relates.

Duties of occupier

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

- (a) keep, and retain for a period of at least one year from its date, a record adequate to show the number of birds, rabbits, or both, as appropriate, identified by species, 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 the official veterinary surgeon, inspector or veterinary officer is provided with adequate facilities to enable him to carry out his duties under these Regulations and that he is given such reasonable assistance and access to the premises and records as he may from time to time require for such purposes;
- (d) take all necessary measures to ensure that, at all stages of production, the requirements of these Regulations are complied with and carry out checks (including any microbiological checks the Minister may require) on the general hygiene of conditions of production in his establishment to ensure that all equipment, machinery, instruments, fittings and facilities and, if necessary, fresh meat, comply with the requirements of these Regulations;
- (e) take all necessary measures to ensure—
 - (i) 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 (d) above for a period of at least two years from the date of such record;
 - (ii) the proper application of the health mark, as provided for in regulation 12(3), including the use of any labels or wrapping on which the health mark is printed;
 - (iii) that the official veterinary surgeon or inspector and the Minister are notified immediately when any information at the occupier's disposal reveals a serious health risk; and
 - (iv) 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 licensed premises shall in consultation with the official veterinary surgeon arrange or establish a staff training programme to train staff to comply with hygiene requirements appropriate to their operations on those premises.

(3) Where the occupier of any licensed premises has informed the food authority that a specified number of plant inspection assistants are or will be made available at those premises, he shall ensure that such plant inspection assistants—

- (a) are present at the times as notified to him by the official veterinary surgeon appointed in respect of those premises, and
- (b) carry out the function specified in paragraph 1 of Part I of Schedule 9, as directed by such official veterinary surgeon.

(4) The occupier shall comply with any notice given under regulation 10(1).

Duties of producer

19.—(1) A producer shall, so as to enable the official veterinary surgeon, inspector and veterinary officer to carry out their functions under these Regulations—

- (a) give any such person such assistance as he may reasonably request for any such purpose, and
- (b) ensure that any birds or rabbits are made available in a condition suitable for inspection by such person.

(2) Without prejudice to regulation 20, if a producer fails to comply with paragraph (1) above, the official veterinary surgeon, inspector or veterinary officer may suspend the inspection or other function until the producer complies with his obligation under paragraph (1) above.

(3) Where a producer has received a notification under regulation 17(1) regarding the presence of a transmissible disease in any of his birds or rabbits, he shall retain such notification and bring it to the notice of the veterinary surgeon carrying out a pre-slaughter health inspection of that producer's birds or rabbits during the subsequent production period.

Offences and penalties

20.—(1) If any person contravenes regulation 11(2), 13(1), 18(4) or 19(1), he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) If any person contravenes regulation 3(3), (4), 4(1), 7, 12(3), (4), (5), (6), (8), 14(1), (2), (3), 15(1), (2), 16(5), 18(1)(a), (b), (c), (e) or 19(3), 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.

(3) 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.

Recovery of costs

21. A food authority shall be entitled to recover on demand from a producer the costs of carrying out any inspection specified in paragraph 3(b) of Schedule 7.

Information to be provided by the food authorities

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

Defences in relation to exports

23.—(1) In any proceedings for an offence under these Regulations it shall be a defence for the person charged to prove that the fresh meat in respect of which the offence is alleged to have been committed was intended for export outside the European Community and complied with the importing country's domestic legislation relevant to the alleged offence.

(2) In any proceedings for an offence under these Regulations where the alleged offence involves either—

- (a) a breach of the prohibition in regulation 14(3)(c); or
- (b) a breach of the prohibition in regulation 14(3)(e);

it shall be a defence for the person charged to prove that the fresh meat in respect of which the offence is alleged to have been committed complied with the importing country's legislation relevant to the alleged offence.

Enforcement

24.—(1) Subject to paragraphs (2) and (3) below each food authority shall execute and enforce within its area the provisions of these Regulations.

(2) Regulations 4, 5, 6, 9 and 11 shall be executed and enforced by the Minister.

(3) In this regulation “food authority” does not include—

- (a) the council of a non-metropolitan county in England and Wales, and
- (b) the appropriate Treasurer referred to in section 5(1)(c) of the Act (which deals with the Inner Temple and the Middle Temple).

Application of various sections of the Act

25. 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);
- (f) section 44 (protection of officers acting in good faith).

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) For regulation 4A of the Food Hygiene (Docks, Carriers, etc.) Regulations 1960⁽²¹⁾ there shall be substituted the following—

“**4A.** These Regulations shall not apply to premises to which the following Regulations apply—

- (a) the Fresh Meat (Hygiene and Inspection) Regulations 1992;
- (b) the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994.”.

(2) In the Food Hygiene (Markets, Stalls and Delivery Vehicles) Regulations 1966⁽²²⁾, for subparagraph (b) of the definition of “food business” in regulation 2 there shall be substituted the following—

- “(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—

⁽²¹⁾ S.I. 1960/1602; relevant amending instrument is S.I. 1992/2037.

⁽²²⁾ S.I. 1966/791; relevant amending instrument is S.I. 1992/2037.

- (i) to which the General Regulations apply; or
- (ii) which is listed in regulation 4 of the Docks and Carriers Regulations; or
- (iii) to which the Fresh Meat (Hygiene and Inspection) Regulations 1992 apply; or
- (iv) to which the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994 apply;”.

(3) In the Food Hygiene (General) Regulations 1970(23) for sub-paragraph (b) of regulation 3(2) there shall be substituted the following—

- “(b) at any premises or place to which any of the following Regulations apply—
- (i) the Food Hygiene (Docks, Carriers, etc.) Regulations 1960;
 - (ii) the Fresh Meat (Hygiene and Inspection) Regulations 1992;
 - (iii) the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”.

(4) The Fresh Meat and Poultry Meat (Hygiene, Inspection and Examinations for Residues) (Charges) Regulations 1990(24) shall be amended as follows—

- (a) in regulation 2(1)—
- (i) for the definition of “cold store”, there shall be substituted the following—
 - ““cold store” means:
 - (a) in relation to meat, premises used for the cold storage of meat intended for sale for human consumption but does not include any premises used wholly or mainly for sales of meat to the ultimate consumer;
 - (b) in relation to poultry meat, a cold store as defined in regulation 2(1) of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994, or a re-wrapping centre;”
 - (ii) for sub-paragraph (b) of the definition of “cutting up”, there shall be substituted the following—
 - “(b) in relation to poultry meat, cutting carcasses into smaller cuts or removing bones from carcasses or parts of carcasses;”;
 - (iii) for the definition of “health inspection and control exercise”, there shall be substituted the following—
 - ““health inspection and control exercise” means an inspection or supervisory function carried out by a food authority under—
 - (a) the Fresh Meat (Hygiene and Inspection) Regulations 1992; except in so far as such function relates to farmed game meat;
 - (b) the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”;
 - (iv) for the definition of “poultry meat”, there shall be substituted the following—
 - ““poultry meat” has the meaning given to it in regulation 2(1) of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”;
 - (v) there shall be inserted at the appropriate place, the following definition—

(23) S.I. 1970/1172; relevant amending instrument is S.I. 1992/2037.

(24) S.I.1990/2494; relevant amending instrument is S.I.1992/2037.

- “re-wrapping centre” has the meaning given to it in regulation 2(1) of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”;
- (vi) for sub-paragraph (a) of the definition of “slaughterhouse”, there shall be substituted the following—
- “(a) a slaughterhouse licensed—
- (i) by a local authority under the Slaughterhouses Act 1974; or
- (ii) under regulation 4 of the Fresh Meat (Hygiene and Inspection) Regulations 1992; or
- (iii) under regulation 4 of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”;
- (b) in regulation 9(3)(a), for the words “slaughter, cutting up or storage”, there shall be substituted the words “slaughter, cutting up, storage or any of the functions of a re-wrapping centre”;
- (c) regulation 13 shall be deleted.
- (5) In the Food Premises (Registration) Regulations 1991⁽²⁵⁾ for sub-paragraph (d) of regulation 3(2) there shall be substituted the following—
- “(d) as a slaughterhouse, cutting premises, cold store or re-wrapping centre in respect of which a licence is required under regulation 4 of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”.
- (6) In the Meat Hygiene Appeals Tribunal (Procedure) Regulations 1992⁽²⁶⁾—
- (a) for paragraph (2) of regulation 1 there shall be substituted the following—
- “(2) Any reference in these Regulations to a Chairman or Secretary shall be a reference to the Chairman or Secretary appointed for the purposes of regulation 6 of, and Schedule 21 to, the Fresh Meat (Hygiene and Inspection) Regulations 1992 and regulation 6 of, and Schedule 15 to, the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994.”;
- (b) for regulation 2 there shall be substituted the following—
- “2. These Regulations shall have effect for the purpose of proceedings before a Meat Hygiene Appeals Tribunal (“the Tribunal”) relating to the refusal to license premises, or relating to the grant of a licence with conditions unacceptable to the occupier of the premises, or the revocation of a licence issued to the occupier of premises under regulation 4 or 5, as the case maybe, of the Fresh Meat (Hygiene and Inspection) Regulations 1992 and under regulation 4 or 5, as the case may be, of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994.”.
- (7) In regulation 12(2) of the Animals and Animal Products (Import and Export) Regulations 1993⁽²⁷⁾ for the words “the Poultry Meat Hygiene Regulations 1976” there shall be substituted the words “the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994”.
- (8) The Meat and Poultry Meat (Staining and Sterilisation) (Scotland) Regulations 1983⁽²⁸⁾ shall be amended as follows—
- (a) in regulation 28(1)—

⁽²⁵⁾ S.I. 1991/2825; to which there are amendments not relevant to these Regulations.

⁽²⁶⁾ S.I. 1992/2921.

⁽²⁷⁾ S.I. 1993/3247.

⁽²⁸⁾ S.I. 1983/704 (S.61); to which there are amendments not relevant to these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) for the words “the Poultry Meat (Hygiene) (Scotland) Regulations 1976” there shall be substituted the words “the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994”; and
 - (ii) for the words “the said Regulations of 1976” there shall be substituted the words “the said Regulations of 1994”;
- (b) in regulation 28(2) for the words “the said Regulations of 1976” there shall be substituted the words “the said Regulations of 1994”.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

29th March 1994.

Gillian Shephard
Minister of Agriculture, Fisheries and Food

Signed by authority of the Secretary of State for Health

7th April 1994

Cumberlege
Parliamentary Under-Secretary of State,
Department of Health

2nd April 1994

Wyn Roberts
Minister of State for Wales

30th March 1994

Hector Monro
Parliamentary Under-Secretary of State, Scottish
Office