
STATUTORY INSTRUMENTS

1994 No. 3082

The Meat Products (Hygiene) Regulations 1994

PART I

PRELIMINARY

Title and commencement

1. These Regulations may be cited as the Meat Products (Hygiene) Regulations 1994 and shall come into force on 1st January 1995.

Interpretation

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

“the Act” means the Food Safety Act 1990;

“ambient store” means any premises, not being part of approved meat products premises, which store unpackaged meat products under non-refrigerated conditions;

“approval” means approval under these Regulations and “approved” has a corresponding meaning;

“approval authority” means—

(a) in relation to combined premises, the Minister; and

(b) in relation to other premises, the food authority in whose area they are situated;

“authorised officer”, in relation to an enforcement authority, means any person who is authorised by the authority in writing, either generally or specially, to act in matters arising under these Regulations;

“batch” means a quantity of a meat product which is covered by the same accompanying commercial document or health certificate;

“the Bovine Offal Regulations” means—

(a) the Bovine Offal (Prohibition) Regulations 1989(1); and

(b) the Bovine Offal (Prohibition) (Scotland) Regulations 1990(2);

“the British EC health mark” means the British EC health mark described in paragraph 1 of Part VI of Schedule 2;

“the British national health mark” means the British national health mark described in paragraph 2 of Part VI of Schedule 2;

“cold store” means any premises, not being part of approved meat products premises, which store unpackaged meat products under refrigerated conditions;

“cold treatment” means treatment by refrigeration;

(1) S.I.1989/2061, amended by S.I. 1990/2486, 1992/306, 1994/2628.

(2) S.I. 1990/112, amended by S.I. 1990/2625, 1992/158, 1994/2544.

“combined premises” means—

- (a) premises where meat processing operations are carried on and which share a common curtilage with a slaughterhouse;
- (b) any licensed cold store which stores both fresh meat and meat products;

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

“curing” means the distribution of salts throughout the product;

“drying” means natural or artificial reduction of the water content;

“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as amended by the Protocol signed at Brussels on 17th March 1993;

“EEA State” means a State which is a Contracting Party to the EEA Agreement but until the EEA Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein (and accordingly includes—

- (a) any State that was a member State of the European Community before that Agreement; and
- (b) any other State which is a Contracting Party to the Agreement, whether or not it becomes such a member State);

“EC health mark”, in relation to meat, means a health mark required by any of the meat Directives;

“enforcement authority” is to be construed in accordance with regulation 19 below;

“establishment” means an establishment handling or storing any type of meat products or other products of animal origin;

“final consumer” means a person who buys meat products or other products of animal origin—

- (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 direct transport to premises used for handling or storing meat products 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 a ready-cooked take-away meat product for consumption off those premises;

“food authority” includes a port health authority;

“the Food Labelling Regulations” means the Food Labelling Regulations 1984(3) and the Food Labelling (Scotland) Regulations 1984(4);

“handling” means manufacturing, preparing, processing, packaging, wrapping, and rewrapping and “handled” has a corresponding meaning;

“heating” means the use of dry or damp heat;

“hermetically sealed container” means a container which is airtight and intended to protect the contents against the entry of micro-organisms after heat treatment;

“the Hygiene Regulations” means—

- (a) the Fresh Meat (Hygiene and Inspection) Regulations 1992(5); and

(3) S.I. [1984/1306](#); relevant amending instrument is S.I. [1990/2488](#).

(4) S.I. [1984/1519](#); relevant amending instrument is S.I. [1990/2506](#).

(5) S.I. [1992/2037](#).

- (b) the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994⁽⁶⁾;

“industrial meat products premises” means meat products premises whose production exceeds 7.5 tonnes of finished meat products per week or 1 tonne per week in the case of premises producing foie gras, or a lower level of production where a special hygiene direction is given;

“licensed” means licensed under the Hygiene Regulations;

“maturing” means any treatment of salted raw meat which in the course of a slow and gradual reduction of humidity is capable of generating natural fermentation or enzymatic processes, involving changes over a period of time which give the product typical organoleptic characteristics and ensure its preservation and wholesomeness at normal ambient temperature;

“meat” means—

- (a) meat as defined in—

- (i) article 2(a) of Directive [64/433/EEC](#)⁽⁷⁾;
- (ii) article 2 of Directive [71/118/EEC](#)⁽⁸⁾;
- (iii) article 2 of Directive [72/461/EEC](#)⁽⁹⁾;
- (iv) article 2 of Directive [72/462/EEC](#)⁽¹⁰⁾;
- (v) article 2 of Directive [88/657/EEC](#)⁽¹¹⁾;
- (vi) article 2(1) and (2) of Directive [91/495/EEC](#)⁽¹²⁾;
- (vii) article 2(1)(d) of Directive [92/45/EEC](#)⁽¹³⁾; and

- (b) minced meat and meat preparations falling within the definition of “meat” in regulation 2(1) of the Food Hygiene (General) Regulations 1970⁽¹⁴⁾ and regulation 2(1) of the Food Hygiene (Scotland) Regulations 1959⁽¹⁵⁾;

“meat-based prepared meal” means a wrapped meat product (excluding sandwiches or products made with pastry, pasta or dough) in which meat has been mixed with other foodstuffs before, during or after cooking and requires refrigeration for preservation;

“the meat Directives” means the Directives mentioned in the definition of “meat” in this regulation;

“meat preparations” means preparations made wholly or partly from meat or minced meat (but excludes meat which has undergone only cold treatment) which—

- (a) have undergone a treatment other than one specified in these Regulations for meat products; or
- (b) have been prepared by the addition of foodstuffs, seasonings or additives; or
- (c) have undergone a combination of the above;

“meat products” means products for human consumption prepared from or with meat which has undergone treatment such that the cut surface shows that the product no longer has the characteristics of fresh meat, but not—

- (a) meat which has undergone only cold treatment;

⁽⁶⁾ S.I. [1994/1029](#).

⁽⁷⁾ Directive [64/433/EEC](#) has been amended and consolidated by Directive [91/497/EEC](#) (OJNo. L268, 24.9.91, p.69).

⁽⁸⁾ OJ No. L55, 8.3.71, p.23, amended and replaced by Council Directive [92/116/EEC](#) (OJ No. L62, 15.3.93, p.1).

⁽⁹⁾ OJ No. L302, 31.12.72, p.24 (OJ/SE 1972 (31 December) p.3).

⁽¹⁰⁾ OJ No. L302, 31.12.72, p.28 (OJ/SE 1972 (31 December) p.7).

⁽¹¹⁾ OJ No. L382, 31.12.88, p.3.

⁽¹²⁾ OJ No. L268, 24.9.91, p.41.

⁽¹³⁾ OJ No. L268, 14.9.92, p.35.

⁽¹⁴⁾ S.I. [1970/1172](#), to which there are amendments not relevant to these Regulations.

⁽¹⁵⁾ S.I. [1959/413](#), to which there are amendments not relevant to these Regulations.

- (b) minced meat;
- (c) mechanically recovered meat;
- (d) meat preparations;

“the Meat Products etc. Regulations” means—

- (a) the Meat Products and Spreadable Fish Products Regulations 1984⁽¹⁶⁾; and
- (b) the Meat Products and Spreadable Fish Products (Scotland) Regulations 1984⁽¹⁷⁾;

“meat products premises” means any industrial or non-industrial premises handling or storing meat products;

“non-industrial meat products premises” means meat products premises whose production does not exceed 7.5 tonnes of finished meat products per week or 1 tonne per week in the case of premises producing foie gras, or a lower level of production where a special hygiene direction is given;

“occupier” means a person carrying on the business of producing, handling or storing meat products or other products of animal origin;

“other products of animal origin” means the following products intended for human consumption—

- (a) meat extracts;
- (b) rendered animal fat: fat derived from rendering meat, including bones;
- (c) greaves: the protein-containing residue of rendering, after partial separation of fat and water;
- (d) meat powder, powdered rind, salted or dried blood, salted or dried blood plasma;
- (e) stomachs, bladders and intestines, cleaned, salted or dried, and/or heated;

“packaging”, in relation to meat products or other products of animal origin, means the placing of one or more of such wrapped or unwrapped products in a container, as well as the container itself;

“potable water” means water within the meaning of Directive [80/778/EEC](#)⁽¹⁸⁾ on the quality of water intended for human consumption;

“prepared food” means any food, intended for human consumption, not being a meat product or other product of animal origin or a meat-based prepared meal which is handled in an establishment;

“prohibited parts” means—

- (a) genital organs of female or male animals, except testicles;
- (b) urinary organs, except the kidneys and the bladder;
- (c) the cartilage of the larynx, the trachea and the extralobular bronchi;
- (d) eyes and eyelids;
- (e) the external, auditory meatus;
- (f) orneous tissues;
- (g) in poultry, the head (except the comb and the ears, the wattles and caruncles) the oesophagus, the crop, the intestines and the genital organs;

⁽¹⁶⁾ S.I. 1984/1566, relevant amending instruments are S.I. 1985/987, 1990/2486, 1991/1476.

⁽¹⁷⁾ S.I. 1984/1714, relevant amending instruments are S.I. 1986/1288, 1990/2625, 1991/1476.

⁽¹⁸⁾ OJ No. L229, 30.8.80, p.11.

“raw material” means any animal product used as an ingredient in meat products or other products of animal origin, or used in the preparation of prepared food;

“relevant EEA State” means an EEA State other than Iceland;

“rewrapping centre” means premises where any of the following operations is carried out—

- (a) meat products are unwrapped, sliced or cut and subsequently rewrapped prior to despatch;
- (b) unpackaged meat products from different establishments are assembled into batches for despatch,

and “rewrapped”, in relation to meat products, has a corresponding meaning;

“salting” means use of salt;

“slaughterhouse” means a licensed slaughterhouse;

“small percentage of meat” means 10% or less by weight of the raw meat used as a proportion of the weight of the final product;

“special hygiene direction” means a direction given by an enforcement authority for hygiene reasons at particular premises;

“third country” means a country which is not a relevant EEA State;

“treatment” means any chemical or physical process such as heating, smoking, salting, marinating, curing or drying, intended to preserve meat or animal products whether or not associated with other foodstuffs, or a combination of these various processes;

“wrapping”, in relation to meat products or other products of animal origin, means the protection of those products by the use of an initial wrapping or initial container in direct contact with the product concerned as well as the initial wrapper or initial container 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.

Exemption

3. These Regulations shall not apply to establishments handling or storing meat products or other products of animal origin exclusively for sale from those establishments to the final consumer, or to persons engaged in such handling, storing or selling, or to the transporting of meat products to the final consumer.

PART II

APPROVAL OF MEAT PRODUCTS PREMISES

Approvals of premises other than ambient stores, rewrapping centres and cold stores

4.—(1) After 31st December 1995 no person shall handle meat products in any premises to which this regulation applies unless those premises—

- (a) are approved under this regulation; and
- (b) comply with the appropriate requirements of Schedules 1 and 2.

(2) This regulation applies to meat products premises other than ambient stores, rewrapping centres and cold stores.

(3) No person—

- (a) shall despatch from any meat products premises approved under this regulation any meat products which do not comply with the provisions of these Regulations;
 - (b) shall despatch any meat products to a relevant EEA State from meat products premises to which this regulation applies but which are not approved under this regulation.
- (4) Subject to paragraph (5) below, the approval authority, on application under this regulation—
- (a) shall approve the meat products premises to which the application relates—
 - (i) for the handling of meat products, other than those specified in sub-paragraphs (ii) to (iv) below, if the authority is satisfied that they comply with the requirements of Schedule 1 and Parts I, II, III, V and VII of Schedule 2;
 - (ii) for the handling of meat products which contain a small percentage of meat, if the authority is satisfied that they comply with the requirements of Schedule 1 and with Parts II, III, V and VII of Schedule 2;
 - (iii) for the pasteurisation or sterilisation of meat products in hermetically sealed containers, if the authority is satisfied that they comply with the requirements of Schedule 1 and with Part I (except in the case of meat products which contain a small percentage of meat) and Parts II, III, V and VII of Schedule 2, and in the case of products in hermetically sealed containers with the requirements of Part VIII of Schedule 2;
 - (iv) for the manufacture of meat-based prepared meals, if the authority is satisfied that they comply with the requirements of Schedule 1 and with Part I (except in the case of meat-based prepared meals which contain a small percentage of meat) and Parts II, III, V, VII, and IX of Schedule 2; and
 - (b) otherwise shall refuse to approve them for any of those purposes.
- (5) In the case of non-industrial meat products premises, the approval authority may issue an approval if the authority is satisfied that they comply with the provisions of—
- (a) Schedule 1;
 - (b) Parts II, III and V of Schedule 2;
 - (c) if they manufacture products in hermetically sealed containers, Part VIII of Schedule 2; and
 - (d) if they manufacture meat-based prepared meals, Part IX of Schedule 2.
- (6) Each application for an approval under this regulation shall be made in writing by the occupier of, or a person proposing to occupy, the premises to which the application relates.
- (7) The approval authority shall notify the applicant in writing of the decision on an application under this regulation and of the reasons for any refusal to grant approval.

Approval of ambient stores, rewrapping centres and cold stores

- 5.—(1) After 31st December 1995 no person shall use any ambient store, rewrapping centre or cold store for the handling or storage of meat products unless—
- (a) it is approved under this regulation or licensed under the Hygiene Regulations; and
 - (b) it complies with the appropriate requirements of Schedule 3.
- (2) No person shall despatch any meat products to a relevant EEA State from an ambient store, rewrapping centre or cold store which is not approved under this regulation.
- (3) The approval authority, on application under this regulation—
- (a) shall approve the premises to which the application relates—

- (i) as an ambient store for the storage of meat products if the authority is satisfied that the occupier will comply with the requirements of Part I of Schedule 3; and
 - (ii) as a rewrapping centre for the handling or storage of meat products if the authority is satisfied that the occupier will comply with the requirements of Part II of Schedule 3; and
- (b) otherwise shall refuse to approve them for either of those purposes.
- (4) The approval authority on application under this regulation—
- (a) shall approve the premises to which the application relates as a cold store for the storage of meat products if they are already licensed as a cold store for the storage of fresh meat or fresh poultry meat; and
 - (b) if the premises are not already so licensed, shall approve them as a cold store for the storage of meat products if the authority is satisfied that they comply with the requirements of Part III of Schedule 3; and
 - (c) otherwise shall refuse to approve the premises as a cold store for the storage of meat products.
- (5) Each application for an approval under this regulation shall be made in writing by the occupier of, or a person proposing to occupy, the premises to which the application relates.
- (6) The approval authority shall notify the applicant in writing of the decision on an application under this regulation and of the reasons for any refusal to grant approval.

Revocation of approvals

- 6.—(1) Subject to paragraph (3) below and to regulation 7(3) below, the approval authority may revoke an approval granted by it in respect of any premises if it is satisfied—
- (a) that there is an obvious failure in respect of the premises to comply with these Regulations;
 - (b) that there are obstacles to an adequate health inspection of the premises;
 - (c) that the business carried on at the premises in respect of which the approval was granted is no longer being carried on there; or
 - (d) that the premises have become exempt under regulation 3.
- (2) The approval authority shall give the occupier of the premises notice in writing—
- (a) of the authority’s decision to revoke the approval;
 - (b) of the date on which the revocation is to take effect; and
 - (c) of the reasons for revocation.
- (3) An approval may not be revoked under paragraph (1)(a) or (b) above unless there is in force in relation to the premises—
- (a) a prohibition order under section 11 of the Act; or
 - (b) an emergency prohibition order under section 12,
- and in consequence of compliance with the order meat products may no longer be handled or stored at the premises.
- (4) In paragraph (2) above “occupier”, in relation to a proposed revocation by virtue of paragraph (1)(c) above, where the premises are vacant, means the last person known to the enforcement authority to have carried on at the premises the business of producing, handling or storing meat products or other products of animal origin or his successor in respect of that business.

Right of appeal

7.—(1) Any person who is aggrieved by the refusal or revocation of an approval or by a special hygiene direction may appeal to a magistrates' court or, in Scotland, to the sheriff.

(2) Section 37(3) to (6) of the Act shall have effect in relation to an appeal under this regulation as they have effect in relation to an appeal under that section but with the omission—

(a) of the references to appeals for which provision is made by regulations under section 37(2); and

(b) of subsection (5)(b) and the word “or” immediately preceding it.

(3) A revocation shall not take effect until the time for appealing against it has expired and, if an appeal is lodged, until the appeal is finally disposed of or abandoned.

PART III

CONDITIONS FOR THE HANDLING, STORING AND MARKETING OF MEAT PRODUCTS

General

General conditions

8. No person shall sell for human consumption from approved meat products premises any meat product manufactured in Great Britain unless—

(a) it has been handled and stored in accordance with the appropriate requirements of Schedule 1, 2 and 3;

(b) it has been prepared from raw materials which complied with the requirements of Part III of Schedule 2;

(c) it has been checked in accordance with regulation 13.

Information requirements

Wrapping etc.

9. No person—

(a) shall sell for human consumption from approved meat products premises any meat product manufactured in Great Britain which is intended for consignment to a relevant EEA State; or

(b) shall sell for human consumption any meat product handled or stored in Great Britain after 31st December 1995,

unless it has been wrapped, packaged or labelled at manufacturing premises in accordance with the provisions of Part V of Schedule 2 or at an approved rewrapping centre.

Health marking

10.—(1) No person shall sell for human consumption from approved meat products premises any meat product manufactured or rewrapped in Great Britain and intended for consignment to a relevant EEA State unless it carries the British EC health mark.

(2) No person shall consign to a relevant EEA State any meat product which was imported into Great Britain and stored but not rewrapped there unless it carries—

- (a) if it was imported from a relevant EEA State, a mark applied in accordance with legislation having effect in that State and corresponding to the provisions of these Regulations relating to the British EC health mark; and
- (b) if it was imported from a third country, the health marking required under Directive [72/462/EEC](#)(19).

(3) No person shall sell for human consumption in Great Britain any meat product manufactured or rewrapped in Great Britain after 31st December 1995 unless it carries—

- (a) the British EC health mark; or
- (b) the British national health mark.

Indication of storage temperature and durability

11. No person—

- (a) shall sell for human consumption from approved meat products premises any packaged meat product which was manufactured in Great Britain after these Regulations come into force and is intended for consignment to a relevant EEA State, and which cannot be stored at an ambient temperature; or
- (b) shall sell for human consumption any packaged meat product which was handled or stored in Great Britain after 31st December 1995 and which cannot be stored at an ambient temperature,

unless the packaging carries—

- (i) a clear and legible indication of the temperature at which the product should be stored and transported; and
- (ii) the appropriate durability indication in accordance with the Food Labelling Regulations.

Storage and transportation

Storage and transportation conditions

12.—(1) No person shall sell for human consumption from approved meat products premises, any meat product manufactured in or imported into Great Britain after these Regulations come into force unless—

- (a) it is or has been handled, stored and transported in accordance with Part VII of Schedule 2 and, after 31st December 1995, if it is stored in a cold store separate from the meat products premises from which it is sold, that store has been approved; and
- (b) subject to sub-paragraph (c) below, it is accompanied during transportation by a health certificate signed by an authorised officer of the enforcement authority at the time of loading corresponding in form and content to that specified in Schedule 4 where—
 - (i) it contains meat from a slaughterhouse situated in a region or area subject to prohibition or restriction under the Animal Health Act 1981(20);

(19) OJ No. L302, 31.12.72, p.28 (OJ/SE 1972 (31 December) p.7).

(20) 1981 c. 22.

- (ii) it contains meat bearing a special mark under regulation 14(2)(c) or (d) of the Fresh Meat (Hygiene and Inspection) Regulations 1992(21); or
 - (iii) it is intended to be sent to a relevant EEA State after transit through a third country, in which case it shall be in a sealed means of transport;
- (c) where—
- (i) the product does not fall within sub-paragraph (b) above; and
 - (ii) the exemption specified in paragraph (2) below does not apply,
- it is accompanied during transportation by a commercial document which bears the official approval code of the meat products premises of origin.
- (2) The exemption mentioned in paragraph (1)(c)(ii) above is an exemption for meat products in hermetically sealed containers and having undergone one of the treatments referred to in paragraph B(a) of Part VIII of Schedule 2.
- (3) The enforcement authority may make a reasonable charge for the issue of any health certificate pursuant to paragraph (1)(b) above.
- (4) Any person who receives a consignment of meat products together with the commercial document referred to in paragraph (1)(c) above shall keep that document, and make it available for inspection by an authorised officer of the enforcement authority, when requested, for at least one year after receipt; in the case of meat products which cannot be stored at an ambient temperature, the period may be reduced to 6 months after the appropriate durability date of the product.

PART IV

CONDITIONS RELATING TO ALL ESTABLISHMENTS

Duties of occupier of establishment

13.—(1) The occupier of an establishment shall take all necessary measures to ensure that, at all stages of production or rewrapping of meat products and other products of animal origin, these Regulations are complied with and shall carry out his own checks to ensure—

- (a) that critical points in the establishment relative to the process used are identified and acceptable to the enforcement authority; and
- (b) that methods for monitoring and controlling such critical points are established and acceptable to the enforcement authority; and
- (c) if samples are taken for the purpose of checking cleaning and disinfection or for the purpose of checking compliance with the standards prescribed in Schedule 1, Part II paragraph A.1, that they are analysed or examined as appropriate in a laboratory acceptable to the enforcement authority; and
- (d) that as far as is reasonable and practicable a record in permanent form is kept and made available to an authorised officer of the enforcement authority upon request, and is kept in respect of the matters specified in sub-paragraphs (a) to (c) above for a period of at least two years; in the case of meat products which cannot be stored at an ambient temperature, the period may be reduced to 6 months after the minimum durability date of the product; and
- (e) that health marking is controlled and carried out properly; and

- (f) that the enforcement authority is notified immediately when a laboratory examination of samples or any other information at the occupier's disposal reveals a health risk; and
 - (g) in the event of an imminent health risk, the withdrawal from the market of the quantity of products obtained under technologically similar conditions and likely to present the same risk; any quantity of the products so withdrawn shall be held under the supervision and control of the enforcement authority until it is destroyed, used for purposes other than human consumption, or, with the agreement of the enforcement authority, reprocessed in a manner appropriate to ensure it is safe for human consumption.
- (2) The occupier of an establishment shall ensure that workers at the establishment are given instruction and training with regard to hygiene matters, but the instruction and training given to a worker need only be such as is appropriate to any task undertaken by the worker.

PART V

PREPARED FOOD

Prepared food obtained from raw materials of animal origin

14. No person shall sell for human consumption any prepared food (other than a meat-based prepared meal) obtained from raw materials of animal origin and manufactured on approved premises unless—

- (a) that prepared food has been prepared in accordance with the requirements of Part II of Schedule 1;
- (b) that prepared food complies with the requirements of Part IX of Schedule 2; and
- (c) the preparation of that prepared food has been checked in accordance with regulation 13.

PART VI

REQUIREMENTS FOR OTHER PRODUCTS OF ANIMAL ORIGIN

Conditions for premises manufacturing other products of animal origin

15. No person shall manufacture other products of animal origin unless the premises where the manufacture takes place meet the requirements—

- (a) of Schedule 1; and
- (b) of Part I of Schedule 5,

and also—

- (i) in the case of rendered animal fats, greaves and by-products, the requirements of Part II of Schedule 5; and
- (ii) in the case of stomachs, bladders and intestines, the requirements of Part III of that Schedule.

Sale of other products of animal origin — meat not to have been declared unfit for human consumption

16. No person shall sell for human consumption other products of animal origin manufactured in Great Britain unless they have been derived from meat which has not been declared unfit for human consumption.

Transportation condition for other products of animal origin

17.—(1) No person shall sell for human consumption other products of animal origin unless they are accompanied during transportation by a commercial document which specifies the premises of origin.

(2) Any person who receives a consignment of other products of animal origin together with the commercial document referred to in paragraph (1) above shall keep that document for at least one year after receipt, and make it available for inspection, when requested, by an authorised officer of the enforcement authority.

PART VII

TRANSITIONAL

Use of premises, tools and equipment for the preparation of meat products from meat without an EC health mark

18. Until the expiry of the derogations provided for in Directive 91/498/EEC(22) the enforcement authority may in writing authorise the use of premises, tools and equipment which are used for the preparation of meat products from or with meat bearing an EC health mark for the preparation of meat products from or with other meat which is fit for human consumption, subject to the condition that the authority is satisfied that sufficient precautions will be taken to avoid misidentification as between products prepared from the former and the latter description of meat.

PART VIII

PENALTIES AND ENFORCEMENT

Supervision and enforcement

19.—(1) Subject to paragraph (2) below, a food authority shall be responsible in its area for the supervision of establishments which fall within these Regulations (and shall accordingly be responsible through authorised officers for checks under Part IV of Schedule 2) and shall be responsible also for enforcing and executing these Regulations in relation to any such establishments.

(2) On 1st April 1995 the responsibilities mentioned in paragraph (1) above are transferred to the Minister, so far as they relate to combined premises.

(3) Accordingly, in these Regulations “enforcement authority”, in relation to any premises, means the authority that has those responsibilities by virtue of paragraph (1) or (2) above.

Offences and penalties

20.—(1) If—

- (a) a person (other than an approval authority or enforcement authority) contravenes any provision of these Regulations; or
- (b) the occupier of any establishment fails to take all reasonable steps to secure the compliance by any person employed by him or any person admitted to that establishment with any provision of these Regulations,

he shall be guilty of an offence and shall be liable—

(22) OJ No. L268, 24.9.91, p.105.

- (i) on summary conviction, to a fine not exceeding the statutory maximum; or
 - (ii) on conviction on indictment, to a fine or imprisonment for a term not exceeding two years or both.
- (2) No prosecution for such an offence shall commence 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 Food Safety Act 1990

21. The following provisions of the Act shall apply for the purposes of these Regulations as they apply for the purposes of section 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—

- section 2 (extended meaning of “sale” etc.);
- section 3 (presumption that food is intended for sale for human consumption);
- section 20 (offences due to fault of another person);
- section 21 (defence of due diligence);
- section 33 (obstruction, etc. of officers);
- section 36 (offences by bodies corporate);
- section 44 (protection of officers acting in good faith).

Information to be provided by 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.

PART IX

MISCELLANEOUS AND SUPPLEMENTARY

Meat products and other products of animal origin from Northern Ireland, the Isle of Man and the Channel Islands

23.—(1) The places to which this regulation applies are Northern Ireland, the Isle of Man or the Channel Islands.

- (2) No person—
- (a) shall sell for human consumption from approved meat products premises—
 - (i) any meat product; or
 - (ii) any other product of animal origin, which has been handled or stored in a place to which this regulation applies and which is intended for consignment to a relevant EEA State; or
 - (b) shall sell for human consumption any meat product or other product of animal origin which has been handled or stored in a place to which this regulation applies after 31st December 1995,

unless any handling or storing of that product in that place was in accordance with legislation having effect in that place and corresponding to these Regulations.

(3) No person shall sell for human consumption in Great Britain any meat product which has been handled after 31st December 1995 in a place to which this regulation applies unless it carries the relevant EC health mark or the relevant national health mark.

(4) In this regulation “the relevant EC health mark” and “the relevant national health mark”, in relation to any place to which this regulation applies, mean a mark applied in accordance with legislation having effect in that place and corresponding to the provisions of Part VI of Schedule 2 or paragraph 2 of Part II of Schedule 3 relating to the British EC health mark or (as the case may be) the British national health mark.

Amendments

24.—(1) After regulation 4A(b) of the Food Hygiene (Docks, Carriers, etc.) Regulations 1960(**23**), there shall be inserted—

“(c) the Meat Products (Hygiene) Regulations 1994.”.

(2) At the end of sub-paragraph (b)(iv) of the definition of “food business” in regulation 2 of the Food Hygiene (Markets, Stalls and Delivery Vehicles) Regulations 1966(**24**) there shall be added—

“or

(i) to which the Meat Products (Hygiene) Regulations 1994 apply;”.

(3) At the end of regulation 3(2)(b) of the Food Hygiene (General) Regulations 1970(**25**) there shall be added—

“(iv) the Meat Products (Hygiene) Regulations 1994;”.

(4) At the end of regulation 3(2)(e) of the Food Premises (Registration) Regulations 1991(**26**) there shall be added “or an approval is required under regulation 4 or 5 of the Meat Products (Hygiene) Regulations 1994;”.

17th November 1994

Angela Browning
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

Signed by authority of the Secretary of State for Health

17th November 1994

Cumberlege
Parliamentary Under Secretary of State for
Health

17th November 1994

Hector Monro
Parliamentary Under Secretary of State, Scottish
Office

(23) S.I. 1960/1602; relevant amending instrument is S.I. 1994/1029.

(24) S.I. 1966/791; relevant amending instrument is S.I. 1994/1029.

(25) S.I. 1970/1172; relevant amending instrument is S.I. 1994/1029.

(26) S.I. 1991/2825; relevant amending instrument is S.I. 1994/1029.

Signed by authority of the Secretary of State for Wales

21st November 1994

Gwilym Jones
Parliamentary Under Secretary of State, Welsh
Office