
STATUTORY INSTRUMENTS

1994 No. 3082

The Meat Products (Hygiene) Regulations 1994

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.