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STATUTORY INSTRUMENTS

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**1999 No. 1103**

**The Bovines and Bovine Products (Trade) Regulations 1999**

**Requirements imposed on the operator of an establishment approved under regulation 10**

**11.**—(1) The operator of an establishment approved under regulation 10 above shall ensure that—

- (a) any person employed by him, and any person invited to the establishment, complies with the requirements of these Regulations relating to the approval of the establishment;
- (b) each stage of the slaughter of any bovine animal at the slaughterhouse—
  - (i) takes place under official supervision; and
  - (ii) complies with the requirements for the methods of operation of the first column in Schedule 1 to these Regulations in accordance with the determination made by the Minister under regulation 10(3)(d) above as to the application of those requirements to the slaughterhouse;
- (c) each stage of the preparation of any DBES goods at the slaughterhouse complies with the requirements for the methods of operation for the preparation of DBES goods of the first column in Schedule 2 to these Regulations in accordance with the determination made by the Minister under regulation 10(3)(e)(ii) above as to the application of those requirements to the slaughterhouse;
- (d) he takes all reasonable measures to enable the computer facility referred to in regulation 10(3)(b) above to be operated at any reasonable time by an inspector to carry out official checks in relation to an animal from which DBES goods may be derived for the purpose of determining whether the animal is a DBES eligible animal; and
- (e) any inspector, and any person acting under the responsibility of an inspector, is provided with adequate facilities so as to enable him to carry out his functions under these Regulations in relation to the establishment and that he is given such reasonable assistance and access to such records (including any records held in electronic form) as he may at any reasonable time require for that purpose.

(2) The operator of an establishment approved under regulation 10 above shall ensure that all DBES goods prepared there, other than DBES goods destined for placing on the market in the United Kingdom or food for domestic carnivores (whether or not destined for placing on the market in the United Kingdom), are marked or labelled with an additional mark—

- (a) in the case of fresh meat derived from an animal slaughtered at the establishment, immediately after the meat has been passed fit for human consumption following post mortem inspection under the Fresh Meat (Hygiene and Inspection) Regulations 1995; and
- (b) in the case of any other such DBES goods, before a relevant despatch of the goods from the establishment.

(3) In paragraph (2)(b) above a “relevant despatch” of goods is—

- (a) a despatch of the goods from the establishment for the purpose of a despatch of the goods from Great Britain to a member State or a third country;
- (b) a despatch of the goods from the establishment to any establishment approved under these Regulations for the purpose of a despatch of the goods from that establishment, or

subsequently from any other such establishment, from Great Britain to a member State or a third country; or

- (c) a despatch of the goods from the establishment to any export dedicated establishment whether or not for the purpose of despatch from that establishment, or subsequently from any other such establishment, from Great Britain to a member State or a third country.

(4) The operator of an establishment approved under regulation 10 above shall not mark any goods with an additional mark other than those required to be so marked under paragraph (2) above.

(5) The additional mark shall be applied by persons acting under the responsibility of a veterinary inspector; and no other persons shall apply the additional mark or possess or use the instruments or labels intended for applying or bearing the additional mark.

(6) No person shall produce, modify, store, sell or otherwise supply, or offer, expose or advertise for sale or supply, or consign or despatch to any other person—

- (a) an instrument intended for the application of the additional mark;
- (b) any label or packaging bearing an additional mark; or
- (c) an official seal,

except in accordance with the instructions of a veterinary inspector.

(7) An operator of an establishment approved under regulation 10 above shall ensure that at or before the time any instrument intended for the application of the additional mark, or any label or packaging bearing an additional mark, or any official seal, is delivered to him or to the establishment, or otherwise to his order, he notifies an inspector for the purpose of enabling any inspector or person acting under the responsibility of an inspector to put the instrument, label, packaging or official seal into a store at the establishment (maintained under the responsibility of an inspector) or (in the case of an instrument, label or packaging) to give instructions for the use of the instrument, label or packaging at the establishment.

(8) The operator of an establishment approved under regulation 10 above shall ensure, in respect of any DBES goods prepared there which are destined for placing on the market in the United Kingdom and which bear the additional mark, that the mark is removed or cancelled at whichever of the following times is the first to occur—

- (a) the time when, for any reason other than the removal of the additional mark, the goods cease to be eligible for despatch from Great Britain to a member State or a third country in accordance with these Regulations; or
- (b) the time when the goods leave the establishment.

(9) If a bovine animal is slaughtered at an establishment in contravention of any of the requirements of these Regulations and the operator of the establishment becomes aware of the contravention before the carcass of the animal, or any meat or product derived from the carcass at the establishment, has been consigned from the establishment for the purpose of despatch abroad, the operator shall ensure that the carcass, meat or product is not so consigned.

(10) If a bovine animal is slaughtered at an establishment in contravention of any of the requirements of these Regulations and the carcass of the animal or any meat or product derived from the carcass at the establishment has already been consigned from the establishment by the time the operator of the establishment becomes aware of the contravention, the operator, immediately after he has become aware of the contravention, shall—

- (a) notify an inspector; and
- (b) take such further action as the inspector may require—
  - (i) for the purpose of preventing the despatch abroad of the carcass of any such meat or product; or

- (ii) where the carcase or any such meat or product has already been despatched abroad, for the purpose of enabling the competent authority of the place of destination to take the measures referred to in paragraph 4 of Annex III to the Council Decision.
- (11) The operator of an establishment approved under regulation 10 above shall give the Minister written notice of, and shall obtain his agreement to, any material change he intends to make to—
- (a) the computer facility referred to in regulation 10(3)(b) above in operation at the establishment and in relation to which it has been approved; or
  - (b) any facilities, processes or methods of operation used at that establishment in relation to the slaughter of DBES eligible animals,
- before making any such change.