
STATUTORY INSTRUMENTS

2013 No. 2952

**The Animal By-Products (Enforcement)
(England) Regulations 2013**

PART 3

Staining

Staining

- 10.**—(1) This regulation applies to the operators of—
- (a) slaughterhouses;
 - (b) cutting plants;
 - (c) game-handling establishments; and
 - (d) cold stores.
- (2) In this part—
- (a) the terms “slaughterhouse”, “cutting plant” and “game-handling establishment” have the meanings given to them in regulation 5(6) of the Food Hygiene (England) Regulations 2006⁽¹⁾;
 - (b) “cold store” means any other premises used for the storage, under temperature controlled conditions, of fresh meat intended for sale for human consumption.
- (3) Operators must, subject to paragraph (5), without undue delay, stain the following animal by-products in accordance with paragraph (4)—
- (a) animal by-products defined by any of the following articles of the EU Control Regulation
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 - (i) Article 8(c);
 - (ii) Article 8(d);
 - (iii) Article 9(c); or
 - (iv) Article 9(d);
 - (b) whole poultry bodies where the animals are dead on arrival at the slaughterhouse;
 - (c) bodies or parts of animals which are unfit for human consumption because they show signs of disease communicable to humans or animals;
 - (d) bodies or parts of animals which are unfit for human consumption because they have not been presented for either ante or post mortem inspection;
 - (e) bodies or parts of animals which have been contaminated with any substance which may pose a threat to public or animal health; and

⁽¹⁾ [S.I. 2006/14](#) to which there are amendments not relevant to these Regulations.

- (f) Category 3 material that has changed through decomposition or spoilage so as to present an unacceptable risk to public or animal health.
- (4) Operators must—
 - (a) stain the material listed in paragraph (3) with a colouring agent and using a solution of such a strength that the staining is clearly visible and remains visible after the animal by-product has been chilled or frozen;
 - (b) apply the stain to the whole surface of the by-product, whether by immersing the by-product in the stain, spraying it with the solution or applying the solution to it by any other equally effective means;
 - (c) in the case of an animal by-product not falling with paragraph (3) and weighing more than 20 kg, apply the stain after its surface has been opened by multiple and deep incisions; and
 - (d) in the case of an animal by-product comprising a whole poultry body, whether or not it has been eviscerated or de feathered, apply the stain after the surface of the body has been opened by multiple and deep incisions.
- (5) Operators need not stain pursuant to paragraph (3)—
 - (a) any animal by-product which is removed, or is intended to be removed, from any premises by, or under the authority of, a veterinary surgeon for examination by or on behalf of the surgeon;
 - (b) any animal by-product which is mixed with green offal in a container containing mainly green offal for disposal in accordance with the EU Control Regulation;
 - (c) any animal by-product which is intended for use for scientific purposes and which, pending such use or removal to premises for such use in accordance the EU Control Regulation, is placed in a room and in a receptacle designed for the purpose of holding animal by-products and bearing a notice that its contents are intended for use for scientific purposes;
 - (d) any animal by-product which is moved immediately after generation to a processing or incineration establishment or plant approved under the EU Control Regulation via a sealed and leak-proof pipe; or
 - (e) a whole animal body, except a whole poultry body.
- (6) No one may export stained material of the type referred to in paragraph (3) to another member State of the European Union unless that member State agrees to import the material.
- (7) In paragraph 5(b) of this regulation “green offal” means the stomach and intestines of an animal and the contents of the digestive tract.