
STATUTORY INSTRUMENTS

2018 No. 1164

**The Carcase Classification and Price
Reporting (England) Regulations 2018**

PART 3

BOVINE CARCASSES

Application of these Regulations to small-scale bovine operators

- 7.—(1) A small-scale bovine operator is not required to classify bovine carcases.
- (2) These Regulations do not apply to a small-scale bovine operator which does not classify carcases.
- (3) But if a small-scale bovine operator chooses to classify bovine carcases, these Regulations apply in relation to that operator and the classification of those carcases.
- (4) In this regulation, “small-scale bovine operator” means an operator of an approved slaughterhouse at which fewer than 150 adult bovine animals per week as an annual average are slaughtered.
- (5) Any small-scale bovine operator who, until the coming into force of these Regulations, was required to classify bovine carcases under the 2010 Regulations shall not by that reason alone be deemed to have chosen to do so for the purposes of paragraph (3).
- (6) Nothing in this regulation prevents the application of these Regulations to an operator in relation to pig carcases if pigs are also slaughtered in that operator’s slaughterhouse.

Competent authority: bovine carcases

- 8.—(1) The Secretary of State is the competent authority for the purposes of—
- (a) Article 12(2)(b) of the Commission Delegated Regulation (additional provisions on classification by automated grading techniques);
 - (b) Articles 13 and 14 of the Commission Delegated Regulation and Article 14 of the Commission Implementing Regulation (reporting of market prices and calculation of average price per class);
 - (c) Article 17(2) of the Commission Delegated Regulation (supplementary provisions for reporting of market prices for carcases);
 - (d) Article 4(1) of the Commission Implementing Regulation (making and keeping reports for on-the-spot checks).
- (2) The Secretary of State is responsible for—
- (a) authorisation of automated grading methods for beef carcases as described in Article 10 of the Commission Delegated Regulation;
 - (b) notifications to the Commission as described in Article 25 of the Commission Delegated Regulation;

- (c) on-the-spot checks as described in Articles 2 and 3 of the Commission Implementing Regulation.

Licence to carry out classification

9.—(1) The Secretary of State may grant a licence to carry out visual classification of bovine carcasses to any person who applies for such a licence and who appears to the Secretary of State to be qualified to carry out the classification, if the Secretary of State is satisfied that the person is a fit and proper person to carry out classification of bovine carcasses.

(2) The licence may be made subject to such terms and conditions as the Secretary of State considers necessary for the purposes of paragraph (1).

(3) In addition to the power to revoke a licence in the circumstances mentioned in Article 4(2) of the Commission Implementing Regulation (incorrect classification, presentations or identifications), the Secretary of State may suspend or revoke a licence granted to a person under this regulation if—

- (a) the person has contravened any of the terms or conditions of that licence; or
- (b) the Secretary of State is satisfied that the person holding that licence is no longer a fit and proper person to carry out classification of bovine carcasses.

(4) Where the Secretary of State takes any decision in relation to a licence under this regulation which gives rise to a right to appeal under regulation 11, the Secretary of State must—

- (a) inform the person of the decision in writing;
- (b) give the reasons; and
- (c) explain that there is a right of appeal to a person appointed by the Secretary of State.

Licence for automated grading

10.—(1) The Secretary of State may grant to the operator of an approved slaughterhouse a licence authorising the use of automated grading equipment for classification of bovine carcasses at that slaughterhouse, if the Secretary of State is satisfied on the application of the operator for such a licence that the equipment and the manner of its operation would meet the standards required by Article 9(b) and 10(2) (read with Part A of Annex IV) of the Commission Delegated Regulation.

(2) The licence may be made subject to such terms and conditions as are necessary to ensure compliance with those standards.

(3) In addition to the power to revoke a licence in the circumstances mentioned in Article 4(2) of the Commission Implementing Regulation, the Secretary of State may suspend or revoke a licence granted to an operator under this regulation if—

- (a) the operator has contravened any of the terms or conditions of the licence; or
- (b) the Secretary of State considers that the automated grading equipment no longer meets the standards required by the Commission Delegated Regulation, whether for reasons connected with the equipment itself or with the operator's manner of operation of the equipment.

(4) Where the Secretary of State takes any decision in relation to a licence under this regulation which gives rise to a right to appeal under regulation 11, the Secretary of State must—

- (a) inform the person of the decision in writing;
- (b) give the reasons; and
- (c) explain that there is a right of appeal to a person appointed by the Secretary of State.

Appeals regarding licences

11.—(1) A person may appeal against—

- (a) a decision by the Secretary of State to refuse an application by that person for a licence under regulation 9 or 10;
- (b) a term or condition imposed by the Secretary of State in a licence granted to that person under regulation 9 or 10; or
- (c) a decision by the Secretary of State to suspend or revoke a licence under regulation 9 or 10.

(2) The appeal must be made to a person appointed for the purpose by the Secretary of State.

(3) The Secretary of State may also make written representations to the appointed person concerning the decision.

(4) The appointed person must consider the appeal and any representations made by the Secretary of State and must report in writing to the Secretary of State with the person's conclusions on the appeal and a recommendation as to the manner in which the matter should be finally determined by the Secretary of State.

(5) The Secretary of State must then make a final determination and notify the appellant of that determination and the reasons for it.

Records: bovine carcasses

12.—(1) An operator of an approved slaughterhouse must keep a record of the particulars specified in Schedule 3 relating to each bovine carcass which is classified in that slaughterhouse.

(2) The operator must retain each record for a period of 12 months from the end of the calendar year to which the record relates.