

SCHEDULE 7

Regulation 5

SPECIFIED RISK MATERIAL, MECHANICALLY SEPARATED MEAT AND SLAUGHTERING TECHNIQUES

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Explanatory Note

Appointment of the Food Standards Agency as the competent authority

1.—(1) The Food Standards Agency must carry out the duties placed on the member State in point 11(1) and point 11(2) of Annex V to the EU TSE Regulation in relation to this Schedule and may grant authorisations for the purposes of point 4(3)(a) of that Annex.

Training

2. The occupier of any slaughterhouse or cutting plant where specified risk material is removed must—

- (a) ensure that staff receive any training necessary to ensure that the occupier complies with their duties under this Schedule; and
- (b) keep records of each person's training for as long as that person works there,

and failure to do so is an offence.

Mechanically separated meat

3.—(1) Any person who contravenes point 5 of Annex V to the EU TSE Regulation (measures concerning mechanically separated meat) is guilty of an offence.

(2) Any person who uses any mechanically separated meat produced in contravention of that point in the preparation of any food for sale for human consumption or of any feedingstuff is guilty of an offence.

Pithing

4. Any person who contravenes point 6 of Annex V to the EU TSE Regulation (measures concerning laceration of tissue) is guilty of an offence.

Tongue harvesting

5. Any person who contravenes point 7 of Annex V to the EU TSE Regulation (harvesting of tongues from bovine animals) is guilty of an offence.

Head meat harvesting

6. Any person who contravenes point 8(1) of Annex V to the EU TSE Regulation (harvesting of bovine head meat) is guilty of an offence.

Removal of specified risk material

7.—(1) Any person who removes specified risk material at any premises or place other than premises or a place where that specified risk material may be removed under point 4(1) or point 4(3) (a) of Annex V to the EU TSE Regulation is guilty of an offence.

(2) In the case of a cutting plant, it is an offence to remove—

- (a) any part of the vertebral column that is specified risk material from any bovine animal unless the plant is authorised under paragraph 13(1)(a); or
- (b) the spinal cord from any sheep or goat aged over 12 months at slaughter or which has a permanent incisor erupted through the gum, unless the plant is authorised for the purpose of such removal under paragraph 13(1)(b).

Bovine animals in a slaughterhouse

8.—(1) When a bovine animal is slaughtered in a slaughterhouse or the carcase of a bovine animal is transported to a slaughterhouse following emergency slaughter elsewhere, the occupier of the slaughterhouse must remove all specified risk material (other than those parts of the vertebral column that are specified risk material and specified risk material contained in or attached to offal) as soon as is reasonably practicable after slaughter and in any event before post-mortem inspection.

(2) The occupier must—

- (a) as soon as reasonably practicable after post mortem inspection, consign any offal that has been removed from the carcase and that contains or is attached to specified risk material to an appropriate area of the slaughterhouse; and
- (b) as soon as reasonably practicable after the offal is consigned there and in any event before the offal is removed from the slaughterhouse, remove the specified risk material.

(3) The occupier must as soon as is reasonably practicable after slaughter consign any meat containing those parts of the vertebral column that are specified risk material to—

- (a) a cutting plant authorised under paragraph 13(1)(a);

(b) a cutting plant authorised under corresponding legislation elsewhere in the United Kingdom; or

(c) a member State in accordance with point 10(2) of Annex V to the EU TSE Regulation.

(4) The occupier must identify meat containing vertebral column that is not specified risk material in accordance with point 11(3)(a) of Annex V to the EU TSE Regulation and provide information in accordance with point 11(3)(b) of that Annex.

(5) No person may include a blue stripe in the label referred to in Article 13 of Regulation (EC) No. 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No. 820/97(1), except in accordance with point 11(3)(a) of Annex V to the EU TSE Regulation.

(6) Failure to comply with this paragraph is an offence.

Sheep and goats in a slaughterhouse

9.—(1) When a sheep or goat is slaughtered in a slaughterhouse or the carcase of a sheep or goat is transported to a slaughterhouse following emergency slaughter elsewhere, the occupier of the slaughterhouse must remove all specified risk material (other than the spinal cord and specified risk material contained in or attached to offal) as soon as is reasonably practicable after slaughter and in any event before post-mortem inspection.

(2) The occupier must—

(a) as soon as reasonably practicable after post mortem inspection, consign any offal that has been removed from the carcase and that contains or is attached to specified risk material to an appropriate area of the slaughterhouse; and

(b) as soon as reasonably practicable after the offal is consigned there and in any event before the offal is removed from the slaughterhouse, remove the specified risk material.

(3) In the case of a sheep or goat aged over 12 months at slaughter, or that has a permanent incisor erupted through the gum, the occupier must as soon as is reasonably practicable after slaughter—

(a) remove the spinal cord at the slaughterhouse before the post-mortem inspection; or

(b) send the meat to—

(i) a cutting plant authorised under paragraph 13(1)(b);

(ii) a cutting plant authorised under corresponding legislation elsewhere in the United Kingdom; or

(iii) in accordance with point 10(1) of Annex V to the EU TSE Regulation, a cutting plant located in a member State, provided that the Food Standards Agency has entered into a written agreement with the competent authority of the receiving member State and the dispatch is in accordance with that agreement.

(4) In sub-paragraph (3)(b)(iii), “cutting plant” means an establishment—

(a) approved or conditionally approved as such under Article 31(2) of Regulation 882/2004; or

(b) operating as such under Article 4(5) of Regulation 853/2004 pending such approval.

(5) Failure to comply with this paragraph is an offence.

Bovine animals, sheep and goats in other places of slaughter

10.—(1) When a bovine animal, sheep or goat is slaughtered in a place that, for the purposes of point 4(1)(a) of Annex V to the EU TSE Regulation, is an other place of slaughter, the person

(1) OJ No L 204, 11.8.2000, p.1, last amended by Council Regulation (EC) No 1791/2006 (OJ No L363, 20.12.2006, p.1).

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carrying out the slaughter must remove all specified risk material as soon as is reasonably practicable after slaughter.

(2) Failure to comply with this paragraph is an offence.

Young lamb and goat stamps

11.—(1) An inspector may stamp a sheep or goat carcass in a slaughterhouse with a young lamb stamp or a young goat stamp if the animal does not have a permanent incisor erupted through the gum and the documentation (if any) relating to the animal does not indicate that it is aged over 12 months at slaughter.

(2) The stamp must mark the meat with a circular mark 5 centimetres in diameter with the following in capital letters 1 centimetre high—

- (a) “VS”; and
- (b) in the case of—
 - (i) a sheep, “YL”; or
 - (ii) a goat, “YG”.

(3) It is an offence for any person other than an inspector to apply the stamp or a mark resembling the stamp, or to possess the equipment for applying it.

(4) It is an offence to mark a sheep or goat carcass with a stamp that is or resembles a young lamb stamp or a young goat stamp unless it is an animal permitted to be marked in accordance with sub-paragraph (1).

Removal of spinal cord from sheep and goats

12. It is an offence to remove the spinal cord or any part of it from a sheep or goat aged over 12 months at slaughter or that had one or more permanent incisors erupted through the gum (other than for the purposes of veterinary or scientific examination) except by—

- (a) longitudinally splitting the whole vertebral column; or
- (b) removing a longitudinal section of the whole vertebral column including the spinal cord.

Authorisation of cutting plants by the Food Standards Agency

13.—(1) The Food Standards Agency may authorise a cutting plant to remove—

- (a) those parts of the vertebral column of bovine animals that are specified risk material; or
- (b) the spinal cord from sheep and goats aged over 12 months at slaughter or which have a permanent incisor erupted through the gum,

if the Agency is satisfied that the provisions of Annex V to the EU TSE Regulation and this Schedule will be complied with.

(2) The procedures in regulations 6, 8, 9 and 10 apply, but all references to the Department must be construed as references to the Food Standards Agency.

Removal of specified risk material at a cutting plant authorised under paragraph 13(1)

14. The occupier of a cutting plant authorised under paragraph 13(1) commits an offence if that occupier fails to, as soon as is reasonably practicable after arrival of meat at the plant, and in any event before the meat is removed from the plant, remove from the meat all specified risk material of a kind to which the authorisation relates.

Meat from a member State

15. For the purposes of point 10(1) and point 10(2) of Annex V to the EU TSE Regulation, where meat containing those parts of the vertebral column of a bovine animal that are specified risk material is brought into Northern Ireland from a member State, the importer must send it directly to a cutting plant authorised under paragraph 13(1)(a), and failure to do so is an offence.

Staining and disposal of specified risk material

16.—(1) The occupier of any premises where specified risk material is removed commits an offence if that occupier fails to comply with point 3 of Annex V to the EU TSE Regulation (marking and disposal).

(2) For the purposes of that point—

(a) staining involves treating the material (whether by immersion, spraying or other application) with—

(i) a 0.5% weight/volume solution of the colouring agent Patent Blue V (E131, 1971 Colour Index No. 42051(2)); or

(ii) such other colouring agent as may be approved in writing by the Department or the Food Standards Agency; and

(b) the stain must be applied in such a way that the colouring is and remains clearly visible—

(i) over the whole of the cut surface and the majority of the head in the case of the head of a sheep or goat, and

(ii) in the case of all other specified risk material, over the whole surface of the material.

(3) This paragraph does not apply in relation to any specified risk material that is destined for use as provided for in Article 1(2)(b) and (c) of the EU TSE Regulation.

Security of specified risk material

17.—(1) Pending consignment or disposal from the premises or place where it was removed, the occupier of the premises must ensure that specified risk material is adequately separated from any food, feedingstuff or cosmetic, pharmaceutical or medical product and held in an impervious covered container that is labelled as either—

(a) containing specified risk material; or

(b) Category 1 animal by-products and including the words “For disposal only”.

(2) The occupier of the premises or place must ensure that the container is thoroughly washed as soon as is reasonably practicable each time that it is emptied, and disinfected before use for any other purpose.

(3) Failure to comply with this paragraph is an offence.

Prohibition on the sale, supply or possession for sale or supply of specified risk material for human consumption

18. It is an offence to sell, supply or possess for sale or supply—

(a) any specified risk material, or any food containing specified risk material, for human consumption; or

(b) any specified risk material for use in the preparation of any food for human consumption.

(2) Colour Index is published by the Society of Dyers and Colourists at Perkin House, 82 Grattan Road, Bradford, West Yorkshire BD1 2JB

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