## SCOTTISH STATUTORY INSTRUMENTS

# 2003 No. 411

# ANIMALS

## ANIMAL HEALTH

## The Animal By-Products (Scotland) Regulations 2003

Made - - - -Laid before the Scottish Parliament - -Coming into force 4th September 2003 8th September 2003 1st October 2003

## THE ANIMAL BY-PRODUCTS (SCOTLAND) REGULATIONS 2003

#### PART 1

#### Introductory provisions

- 1. Citation, commencement and extent
- 2. Interpretation
- 3. Approvals etc.

#### PART 2

Collection, transportation, storage, handling, processing and disposal of animal by-products

- 4. Category 1 material
- 5. Category 2 material
- 6. Category 3 material
- 7. Mixing mammalian and non-mammalian animal by-products
- 8. Collection, transportation and storage

### PART 3

#### Restrictions on access to animal by-products and their use

- 9. Access to animal by-products
- 10. Restrictions on use
- 11. Pasture Land
- 12. Intra-species recycling of fish

## PART 4

### Approved premises and competent authorities

- 13. The competent authority
- 14. Approval of premises
- 15. Biogas and composting plants
- 16. Composting catering waste on the premises on which it originates
- 17. Processing and intermediate plants' own checks
- 18. Sampling at processing plants
- 19. Sampling at biogas and composting plants
- 20. Samples sent to laboratories
- 21. Laboratories

## PART 5

Placing animal by-products and processed products on the market

- 22. Placing on the market of processed animal protein and other processed products that could be used as feed material
- 23. Placing on the market of petfood, dogchews and technical products
- 24. Placing on the market of compost or digestion residues for use on agricultural land

## PART 6

### Derogations

- 25. Competent authority for Chapter V of the Community Regulation
- 26. Derogations regarding the use of animal by-products
- 27. Collection centres
- 28. Burial of pet animals
- 29. Remote areas
- 30. Burning or burial in the event of a disease outbreak
- 31. Burning and burial of bees and apiculture products

#### PART 7

#### Records

- 32. Records
- 33. Records for consigning, transporting or receiving animal by-products
- 34. Records for burning or burial of animal by-products
- 35. Records for disposal or use on premises
- 36. Delivery records to be kept by operators of biogas and composting plants
- 37. Treatment records for biogas and composting plants
- 38. Records for approved laboratories
- 39. Records to be kept for consignments of compost or digestion residue

## PART 8

#### Administration and enforcement

- 40. Grant of approvals
- 41. Suspension, amendment or revocation of approvals, authorisations and registrations
- 42. Review

- 43. Notice requiring the disposal of animal by-products or catering waste
- 44. Cleansing and disinfection
- 45. Compliance with notices
- 46. Powers of entry
- 47. Obstruction, reasonable assistance and information
- 48. Penalties and offences by bodies corporate
- 49. Enforcement
- 50. Transitional provisions
- 51. Amendments
- 52. Revocations Signature

1.

SCHEDULE 1 Additional requirements for biogas and composting plants PART 1 Premises

- (1) There shall be– (a) a reception area in which...
- 2. The animal by-products shall be unloaded in the reception area...
- 3. The plant shall be operated in such a way that-...
- 4. The operator shall identify, control and monitor suitable critical points...
- 5. Containers, receptacles and vehicles used for transporting untreated animal by-products...

PART 2 Treatment systems and parameters for catering waste

- 1. Unless an approval specifically permits a different system, catering waste...
- 2. The approval shall normally specify one of the methods in...
- 3. Composting plants

SCHEDULE 2

4. Biogas plants

#### Testing Methods

#### PART 1 METHOD FOR THE ISOLATION OF CLOSTRIDIUM PERFRINGENS

- 1. Time of testing
- 2. Samples
- 3. Inoculations
- 4. Once the agar has set, each agar plate shall be...
- 5. Samples with colonies of *Clostridium perfringens*
- 6. In the case of each plate, 10 characteristic colonies of...
- 7. If the surface area of the plates is overgrown and...
- 8. One characteristic colony from each plate shall be subcultured on...
- 9. Subcultured colonies

## EXAMINATION OF SUBCULTURES

- 10. Motility
- 11. Reduction of nitrate to nitrite
- 12. Production of gas and acid from lactose and liquefaction of gelatin
- 13. The lactose gelatin medium shall be examined for colour. A...
- 14. The lactose gelatin medium shall be chilled for one hour...
- 15. The presence of Clostridium perfringens shall be determined on the...
- 16. Control Tests

19.

- 17. 10 gram portions of the rendered animal protein shall be...
- 18. One colony of Clostridium perfringens shall be placed in 10...
  - These are then treated and examined in the same way...

## PART 2 METHODS FOR THE ISOLATION OF SALMONELLA

## 1. A. BACTERIOLOGICAL METHOD

- 2. Day 1
- 3. Day 2
- 4. Day 3
- 5. The residual RV broth shall be reincubated at 41.5°C±0.5°C for...
- 6. Day 4
- 7. The reincubated RV broth shall be plated out as described...
- 8. Day 5
- 9. The plates referred to in paragraph 7 shall be examined...
- 1. B. ELECTRICAL CONDUCTANCE METHOD
- 2. Day 1
- 3. Day 2
- 4. Day 3
- 5. Day 4
- 6. Day 5

### PART 3 METHOD FOR THE ISOLATION OF ENTEROBACTERIACEAE

- 1. Tests shall be begun on receipt of the sample or...
- 2. Samples
- 3. Inoculations
- 4. Once the agar has set, each agar plate shall be...
- 5. Samples with colonies of *Enterobacteriaceae*
- 6. After counting the colonies, characteristic colonies shall be taken at...
- 7. Examination of subcultures
- 8. If not all of the colonies prove to be Enterobacteriaceae,...
- 9. Controls
- 10. A 10 gram portion of the rendered animal protein shall...
- 11. One colony of Escherichia coli shall be placed in 10...
- 12. This is then treated and examined in the same way... SCHEDULE 3 Remote Areas
- 1. The area of the Argyll and Bute Council, excluding the...
- 2. The area of Comhairle nan Eilan Siar.
- 3. The area of the Highland Council, excluding the Parishes of...
- 4. In the area of North Ayrshire Council, the parishes of...
- 5. The area of the Orkney Islands Council.
- 6. In the area of the Perthshire and Kinross Council, the...
- 7. The area of the Shetland Islands Council.

SCHEDULE 4 Transitional Provisions

PART 1 Intra-species recycling ban for fish

PART 2 Collection, transport and disposal of former

foodstuffs of animal origin

- 1. (1) The Scottish Ministers shall be the competent authority for...
- 2. For the purposes of Article 1(1) of Regulation (EC) 813/2003,...
- 3. Where former foodstuffs are mixed with Category 1 or Category...
- 4. Where former foodstuffs are sent for disposal in an approved...
- 5. Any person who fails to comply with any instructions given...
- 6. In this Part, "former foodstuffs" does not include waste from...

PART 3 Used cooking oil in animal feed

- 1. Scope
- 2. This Part is confined to used cooking oil which-
- 3. Approvals
- 4. The approval shall specify– (a) the name of the operator...
- 5. (1) Approval shall be suspended immediately if the conditions under...

- 6. General obligations
- 7. Used cooking oil shall be- (a) collected by an approved...
- 8. Collection and transportation of used cooking oil
- 9. Approved premises and the operation of blending premises
- 10. (1) Before mixing with other oil, operators of blending premises...
- 11. Approved premises
- 12. Operators' own checks
- 13. (1) The operator of approved blending premises shall carry out...
- 14. (1) The operator shall record the results of the checks...
- 15. Hygiene requirements in approved premises
- 16. Specification for used cooking oil for use in animal feed
- 17. Commercial documents
- 18. Records
- 19. List of premises

## PART 4 Mammalian blood

- 1. By way of derogation from Annex VII, Chapter II, paragraph...
- 2. The Scottish Ministers may approve the use of processing methods...
- 3. (1) Approval shall be suspended immediately if the conditions under...
- 4. The approval shall only be granted if the operator was...
- 5. All other relevant provisions of the Community Regulation must be...

#### PART 5 Oleochemical plants using rendered fats from

- category 2 and 3 materials
- 1. General obligations
- 2. (1) Approval shall be suspended immediately if the conditions under...
- 3. The approval shall only be granted to premises and facilities...
- 4. Specific requirements

## PART 6

Low capacity incineration or co-incineration plants which do not incinerate or co-incinerate specified risk materials or carcases containing them

- 1. By way of derogation from Article 12(3) of the Community...
- 2. (1) Approval shall be suspended immediately if the conditions under...
- 3. The approval shall only be granted to incinerators that were...
- 4. The operator shall take all necessary measures to ensure that-...
- 5. In the case of a breakdown or malfunction, the operator...

#### SCHEDULE 5 Amendments

#### PART 1 Amendments to the TSE (Scotland)

### Regulations 2002

- 1. The TSE (Scotland) Regulations 2002 are amended in accordance with...
- 2. In regulation 3 (interpretation), for the definition of "ABPO approved"...
- 3. At the end of regulation 13 (mammalian meat and bone...
- 4. In regulations 16(2)(b), 17(3)(a) and (b) and 20(1)(c), for "ABPO...
- 5. Immediately after regulation 34, there is inserted-Mixing specified risk...
- 6. For regulation 40 (consignment of specified risk material after removal...
- 7. For Schedule 5 (Application of Part IV of the Regulations...

### PART 2 Consequential Amendments

## Animal By-Products (Identification) Regulations 1995

1. (1) The Animal By-Products (Identification) Regulations 1995 are amended in...

Pollution Prevention and Control (Scotland) Regulations 2000

2. In the definition of "exempt activity" in Section 6.8 of...

Rendering (Fluid Treatment) (Scotland) Order 2001

3. In the definition of "animal by-products" in article 2 (interpretation)...

Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2002

4. In the Products of Animal Origin (Third Country Imports) (Scotland)...

Poultry Breeding Flock and Hatcheries and Animal By-Products (Fees) (Scotland) Order 2002

 In the Poultry Breeding Flock and Hatcheries and Animal By-Products... SCHEDULE 6 Revocations Explanatory Note