

1989 No. 119

ANIMALS

**Diseases of Animals (Animal Protein) Order
(Northern Ireland) 1989**

Made 24th March 1989

Coming into operation 24th March 1989

The Department of Agriculture, in exercise of the powers conferred on it by Articles 5(1), 19(e), (f), (i) and (k), 44(b) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(a) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation

1. This Order may be cited as the Diseases of Animals (Animal Protein) Order (Northern Ireland) 1989.

Interpretation

2. In this Order—

“animal protein” means any material which may be used for feeding to animals or poultry and which contains:

(a) the whole or any part of—

(i) any dead animal or bird; or

(ii) any fish, reptile, crustacean or other cold blooded creature, or any product derived from the whole or part of them;

(b) blood, hatchery waste, eggs, egg shells, milk and milk products, hair, hides, hoofs, feathers and manure;

(c) human effluent; or

(d) any protein obtained from any of the materials in (a), (b) or (c) by heat, sedimentation, precipitation, ensiling or other system of treatment;

but does not include shells other than egg shells, fat or dicalcium bone phosphate or anything intended to be used for human consumption;

“approved disinfectant” means a disinfectant approved by the Department under the Diseases of Animals (Approval of Disinfectants) Order (Northern Ireland) 1972(b);

“approved laboratory” means the Agricultural and Food Science Centre, Newforge Lane, Belfast, or the Veterinary Research Laboratory, Stormont, Belfast;

(a) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art. 17

(b) S.R. & O. (N.I.) 1972 No. 16 as amended by S.R. 1975 No. 69

- “fat” means any vegetable or mineral oil or any other oleaginous product obtained by a rendering or a refining process;
- “livestock” means cattle, sheep, goats, all other ruminating animals and swine;
- “the 1981 Order” means the Diseases of Animals (Northern Ireland) Order 1981;
- “poultry” means domestic fowls; turkeys, geese, ducks, guinea-fowls, pigeons, pheasants, partridges or quails;
- “processed” in relation to animal protein, means treated by heat, sedimentation, precipitation, ensiling, milling, grinding, or any other systems of treatment so as to render it suitable for direct use, or after further processing as a feedingstuff, or as an ingredient in a feedingstuff for animals or poultry; and
- “receptacle” means a bin, box, skip or other container used for the removal of animal protein.

Exemption

3. The provisions of this Order shall not apply to waste food as defined in and required to be processed under the Waste Food (Feeding to Livestock and Poultry) Order (Northern Ireland) 1974(a).

Removal of animal protein

4.—(1) Subject to the provisions of this Order the removal of animal protein is hereby prohibited.

(2) The prohibition in paragraph (1) shall not apply to the removal of animal protein which takes place under the authority and in accordance with the conditions of a licence granted by the Department.

(3) The provisions of any licence granted by the Department under paragraph (2) shall—

- (a) be published in the Belfast Gazette; and
- (b) apply to all persons who remove animal protein.

(4) A person shall not use or cause or permit to be used any vehicle for the removal of animal protein unless the animal protein is:—

- (a) carried in a leak-proof receptacle which is closed by a tightly fitting lid or other cover which prevents spillage and both the receptacle and the lid or other cover are capable of being cleansed and disinfected; or
- (b) enclosed by impervious material capable of being thoroughly cleansed and disinfected and the vehicle is so constructed as to prevent any leakage or spillage of animal protein out of the vehicle.

(5) A person shall not:—

- (a) place or carry any livestock or poultry, feedingstuffs intended for feeding to livestock or poultry or anything intended to be used for or about livestock or poultry in any vehicle or receptacle which contains unprocessed animal protein;

(b) place or carry any unprocessed animal protein in any vehicle or receptacle which contains processed animal protein.

(6) The person in charge of any vehicle or receptacle who uses or causes that vehicle or receptacle to be used for the removal of processed animal protein shall, before each occasion on which it is so used, thoroughly cleanse and disinfect it with an approved disinfectant.

(7) The person in charge of any vehicle or receptacle who uses or causes that vehicle or receptacle to be used for the removal of any animal protein shall, after each occasion on which it was so used, and in any event before any further use is made of it for the removal of any animal, poultry, animal protein or other matter, thoroughly cleanse and disinfect it with an approved disinfectant.

Collection or holding of animal protein

5. The owner or person in charge of any premises used for the collection or holding of animal protein shall ensure that such animal protein is collected or held on the premises in such a manner as to prevent the leakage or escape of any effluent and so that no animals or birds can gain access to that animal protein.

Taking and testing of samples

6.—(1) Where, in accordance with the provisions of Article 46 of the 1981 Order, an inspector has entered any premises where animal protein is processed he—

(a) may take a sample in the manner prescribed in Part I of the Schedule from any such premises of any material or substance which he has reasonable grounds for supposing to be processed animal protein and

(b) shall, where a sample has been taken in accordance with sub-paragraph (a), provide the owner or person in charge of those premises with a like sample, if so requested.

(2) The inspector shall submit a sample taken in accordance with paragraph (1)(a) to an approved laboratory where that sample shall be tested in accordance with the bacteriological method prescribed in Part II of the Schedule.

(3) The result of the test carried out under paragraph (2) shall be notified, as soon as practicable, by the Department to the owner or person in charge of the premises from which the sample was taken.

(4) After a sample has been tested in accordance with paragraph (2) it shall be destroyed in the laboratory in which it was tested.

Compliance with bacteriological standard

7.—(1) Processed animal protein shall comply with the required bacteriological standard.

(2) Where the test of a sample of processed animal protein carried out under Article 6(2) shows that it does not comply with the required bacteriological standard the Department may by notice served on the owner or person in charge of the premises from which the sample was taken require him to ensure that all animal protein processed on those premises after the expiry

of the time specified in the notice complies with the required bacteriological standard.

(3) Without prejudice to paragraph (2) where the test of a sample of processed animal protein carried out under Article 6(2) shows that it does not comply with the required bacteriological standard the removal of processed animal protein from the premises from which the sample was taken is hereby prohibited except under the authority and in accordance with the conditions of a licence granted by the Department until a test of a further sample from those premises shows that it does comply with that standard.

(4) The Department may by notice vary, revoke or suspend a notice issued under paragraph (2) or a licence granted under paragraph (3).

(5) In this Article "the required bacteriological standard" means that no salmonella has been isolated from a sample of processed animal protein when it has been tested in an approved laboratory in accordance with the bacteriological method prescribed in Part II of the Schedule.

Information to be furnished to the Department

8.—(1) Any person who, on the 24th of March 1989 is engaged in the business of removing, holding or processing animal protein or who proposes to become engaged in such a business on or before 7th April 1989 shall, not later than 14th April 1989 furnish the Department in writing with the following information:—

- (a) his name and the address at or from which the business is carried on;
- (b) whether the business in which he is engaged is the removal, holding or processing of animal protein, or a combination of such activities;
- (c) the date on which he began to engage in that business; and
- (d) whether the animal protein which he removes, holds or collects is intended for use as, or as an ingredient of feedingstuffs for animals or poultry.

(2) Any person who proposes to become engaged in the business of removing, holding or processing animal protein after the 7th April 1989 shall, not less than ten days before he becomes so engaged, furnish the Department in writing with the following information:—

- (a) his name and the address at or from which the business is to be carried on;
- (b) whether the business in which he proposes to engage is the removal, holding or processing of animal protein, or a combination of such activities;
- (c) the date on which he proposes to begin engaging in that business; and
- (d) whether the animal protein which he proposes to remove, hold or collect is intended for use as, or as an ingredient of feedingstuffs for animals or poultry.

(3) Any person who engages in the business of removing, holding or processing animal protein after the coming into operation of this Order shall notify the Department in writing within one month when he ceases to engage in such a business.

(4) The definition of "animal protein" in Article 2 shall apply to the interpretation of this Article as if the words "which may be used for feeding to animals or poultry and" were omitted.

Sealed with the Official Seal of the Department of Agriculture on 24th
March 1989.

(L.S.)

S. R. Armstrong

Assistant Secretary

PART I

Manner of sampling processed animal protein

1. A sample submitted to an approved laboratory for testing in accordance with the bacteriological method set out in Part II of this Schedule shall consist of processed animal protein obtained, on each of five successive days on which processing takes place, except where a process determines otherwise, in accordance with the following:—

TABLE

<i>Sampled portion shall be the total load or throughput — either bulk or bags</i>	<i>Number of incremental samples of approximately equal proportions which shall be extracted evenly throughout the sampled portion</i>	<i>Number of aggregate samples which shall be obtained by pooling a relevant number of incremental samples</i>
A. Loose animal protein		
1 tonne	7	1
1.1–2.5 tonnes	7	2
2.6–10 „	$\sqrt{20 \times \text{size of sampled portion}}$	2
10.1–40 „	$\sqrt{20 \times \text{size of sampled portion}}$	3
over 40 „	$\sqrt{20 \times \text{size of sampled portion}}$ (maximum — 40 incremental samples)	4
B. Bagged animal protein		
1–16 bags	4	1
17–200 bags	$\sqrt{\text{no. of bags in sampled portion}}$	2
201–800 bags	„	3
over 800 bags	„ (maximum — 40 incremental samples)	4

Aggregate sample shall be placed into separate sterile receptacle and each shall be thoroughly mixed by stirring or shaking

The final sample shall be obtained by the extraction of an approximately equal amount of the sampled portion from each aggregate sample so as to provide a single final sample of approximately 500 grams. This final sample shall be transferred into a suitable sterile receptacle, sealed, marked to indicate the name and address of the premises and the date of sampling and, submitted to an approved laboratory for examination within 24 hours of the sample being taken.

Bacteriological method for the isolation of salmonella from animal protein

Samples of processed animal protein submitted for testing shall be examined on the first working day which allows the following prescribed method to be completed. Samples not examined on the day of receipt shall be stored in a refrigerator until required. Examination shall be carried out in duplicate using two 25 gram portions of each sample submitted for testing.

Day 1

The sample shall be removed from refrigeration and left at room temperature for at least four hours. Thereafter, 25 grams shall be added aseptically to a jar containing 225 ml BPW(*a*) and incubated overnight at 37°C for 18 hours.

Day 2

0.1 ml from the jar of incubated BPW shall be inoculated into 10 ml RV(*b*) broth and incubated at $42.5 \pm 0.5^\circ\text{C}$ for 24 hours.

Day 3

The RV broth shall be plated out on to two plates of BGA(*c*) using a 2.5 ml diameter loop. The BGA plates shall be inoculated by a droplet taken from the edge of the surface of the fluid by drawing the loop over the whole of one plate in a zig zag pattern and continuing to the second plate without recharging the loop. The space between the loop streaks shall be 0.5 cm — 1.0 cm. The plates shall be incubated at 37°C overnight and the residual RV broth shall be reincubated at $42.5 \pm 0.5^\circ\text{C}$ for a further 24 hours.

Day 4

- (i) The plates of BGA shall be examined and a minimum of 3 colonies from the plates showing suspicion of salmonella growth shall be subcultured onto a blood agar plate and a MacConkey agar plate and into biochemical composite media or equivalent. These media shall be incubated at 37°C overnight.
- (ii) The reincubated RV broth shall be plated out as described for Day 3.

Day 5

- (i) The incubated composite media or equivalent shall be examined and the findings recorded, discarding cultures which are obviously not salmonella. Slide serological tests shall be performed using salmonella polyvalent "O" and polyvalent "H" (phase 1 and 2) agglutinating sera on selected suspect colonies collected from the blood agar or MacConkey plates. If reactions occur with one or both sera, the colonies shall be typed by slide serology and a subculture sent to the Food and Agricultural Microbiology Research Division, Newforge Lane, Belfast for further typing.
- (ii) The plates prepared on Day 4 shall be examined and further action taken as in (i) of Day 4 and (i) of Day 5.
 - (a) Buffered Peptone Water — Edel and Kampelmacher (1973) (Commercially available as Oxoid CM 509, Lab M 46 or equivalent)
 - (b) Rappaport Vassiliadis (RV) Broth — Vassiliadis et al (1976) (Commercially available as Oxoid CM 669 or equivalent)
 - (c) Brilliant Green Agar (Modified) — Edel and Kampelmacher (1969) (Commercially available as Oxoid CM 329, Lab M 34 or equivalent).

The agar shall be reconstituted according to the manufacturer's instructions and poured onto 9 cm diameter culture plates.

References:

Edel W & Kampelmacher E H (1969) *Bulletin of the World Health Organisation* 41: 297-306.

Edel W & Kampelmacher E H (1973) *Bulletin of the World Health Organisation* 48: 167-174.

Vassiliadis, P., Pateraki, E., Papaiconomou, N., Papadakis, J. A., and Trichopoulos, D. (1976) *Annales de Microbiologie (Institut Pasteur)* 127B: 195-200.

EXPLANATORY NOTE

(This note is not part of the Order.)

The provisions of this Order apply to animal protein (as defined in Article 2) but Article 3 provides that they do not apply to waste food as defined in and required to be processed under the Waste Food (Feeding to Livestock and Poultry) Order (Northern Ireland) 1974.

Under Article 4 the removal of animal protein is prohibited except under the authority and in accordance with the conditions of a licence granted by the Department. A licence is to be published in the Belfast Gazette and applies to all persons who remove animal protein. Any receptacle or vehicle used for the removal of animal protein must be leak proof or have a suitable covering and shall be cleansed and disinfected after use. Any vehicle or receptacle used for the removal of processed animal protein must be cleansed and disinfected before use. A person is also prohibited from carrying livestock or poultry or certain other things in the same vehicle or receptacle as unprocessed animal protein and from carrying processed and unprocessed animal protein together.

Article 5 requires animal protein to be stored in such a way as to ensure that there is no leakage or escape of effluent and that animals or birds cannot have access to the animal protein.

Article 6 enables an inspector to take samples of any material or substance which he has reasonable grounds for supposing to be processed animal protein for analysis in an approved laboratory. Under Article 7 processed animal protein must conform to the required bacteriological standard (as defined in this Order). Where analysis shows that a sample of processed animal protein does not conform to the required bacteriological standard the Department may by notice served on the owner or person in charge of the premises from which the sample was taken require that all animal protein processed in those premises shall conform to that standard within the time specified in the notice. The removal of processed animal protein from premises from which a sample has been taken which does not conform to the required bacteriological standard is prohibited except under the authority of a licence granted by the Department.

Article 8 requires persons who engage in the business of removing, holding or processing animal protein or who propose to do so to furnish certain information to the Department.

Any person who without lawful authority or excuse, proof of which shall lie on him, contravenes any provision of the Order shall be guilty of an offence against the Diseases of Animals (Northern Ireland) Order 1981. The penalty on summary conviction is in the case of an offence committed in relation to carcasses or other inanimate things a fine at level 5 on the standard scale (currently £2,000) together with a further fine at level 3 on the standard scale (currently £400) in respect of every 508 kilogrammes in weight of the carcasses or other things after the first 508 kilogrammes.