

## 1995 No. 97

## FOOD

**Animals, Meat and Meat Products (Examination for Residues and Maximum Residue Limits) (Amendment) Regulations (Northern Ireland) 1995**

Made . . . . . 16th March 1995

Coming into operation . . . . . 15th April 1995

The Department of Agriculture and the Department of Health and Social Services, acting jointly as the Department concerned(a), in exercise of the powers conferred on them by Articles 15(1)(a), (b) and (f) and (3), 16(1), 25(1), 2(a) and (b) and (3), 26(3), 32, 47(2) and 48(2) of, and paragraphs 3 and 7 of Schedule 1 of the Food Safety (Northern Ireland) Order 1991(b) and of every other power enabling them in that behalf, after consultation in accordance with Article 47 of the said Order of 1991 with Organisations as appear to them to be representative of interests substantially affected by the Regulations (insofar as the Regulations are made in exercise of the powers conferred by the said Articles of the said Order of 1991), hereby make the following Regulations:—

*Citation, commencement and interpretation*

1.—(1) These Regulations may be cited as the Animals, Meat and Meat Products (Examination for Residues and Maximum Residue Limits) (Amendment) Regulations (Northern Ireland) 1995 and shall come into operation on 15th April 1995.

(2) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

*Amendment of the Animals, Meat and Meat Products (Examination for Residues and Maximum Residue Limits) Regulations (Northern Ireland) 1992*

2. The Animals, Meat and Meat Products (Examination for Residues and Maximum Residue Limits) Regulations (Northern Ireland) 1992(d) shall be amended as provided by regulations 3 to 21.

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(a) See Art. 2(2) of S.I. 1991/762 (N.I. 7)

(b) S.I. 1991/762 (N.I. 7): see Art. 2(2) for definitions of "the Department concerned" and "Regulations"

(c) 1954 c. 23 (N.I.)

(d) S.R. 1992 No. 39

## 3.—(1) In regulation 2(2) (Interpretation)—

(a) after the definition of “animal test certificate” there shall be inserted the following definition—

“ “Annex IV substance” means a substance specified in Annex IV to the Council Regulation;”;

(b) for the definition of “approved laboratory” there shall be substituted the following definition—

“ “approved laboratory” means a laboratory approved by the Department for the purposes of Council Directive 86/469/EEC(a) or any laboratory under the direction or control of a public analyst appointed in accordance with Article 27 of the Food Safety (Northern Ireland) Order 1991;”;

(c) after the definition of “carcase” there shall be inserted the following definition—

“ “the Council Regulation” means the Regulation specified in Schedule 1;”;

(d) in the definition of “maximum residue limit”—

(i) for paragraph (a) there shall be substituted the following paragraph—

“(a) in respect of any substance specified in the first column of Annex I or Annex III to the Council Regulation, the limit specified in the fourth column opposite the reference to that substance and the applicable animal species specified in the third column, where the substance is contained in the part of the animal specified opposite it in the fifth column or in any meat or meat product derived from that part of the animal;”;

(ii) immediately after paragraph (b) there shall be inserted—

“and, :

(c) in respect of each substance specified in column (1) of Schedule 4, the limit specified in column (2) thereof opposite the reference to such substance and the applicable animal species specified in column (5) where such substance is contained in that part of the animal specified in column (3) thereof opposite the reference to such substance or in any meat or meat product derived from that part of the animal;”;

(e) for the definition of “veterinary medicinal product” there shall be substituted—

“ “Veterinary medicinal product” has the same meaning as in the Medicines (Restrictions on the Administration of Veterinary Medicinal Products) Regulations 1994(b), except that it includes:—

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(a) O.J. No. L275, 26.9.86, p. 36

(b) S.I. 1994/2987

(a) medicinal additives for feedingstuffs to which the provisions of Council Directive 70/524/EEC(a) apply; and

(b) medicated feedingstuffs;”.

(2) For regulation 2(3) there shall be substituted—

“(3) For the purpose of ascertaining whether the maximum residues limit has been exceeded for the purposes of these Regulations, the presence of—

(a) the drug or drug metabolite (or combination thereof) specified in column (4) of Schedule 4 opposite the reference to each substance specified in column (1) of that Schedule shall be taken to indicate the presence of that substance in that part of an animal, or in any meat or meat product derived from that part of an animal, specified in column (3) of that Schedule opposite the reference to that substance and the maximum residue limit specified in column (2) of that Schedule opposite the reference to that substance shall then apply in respect of the presence in such part of an animal, or in any meat or meat product derived from such part of an animal, of any such drug or drug metabolite (or combination thereof) as if it were that substance; and

(b) the drug or drug metabolite (or combination thereof) specified in the second column of Annex I or III to the Council Regulation opposite the reference to each substance specified in the first column of those Annexes shall be taken to indicate the presence of that substance in that part of an animal, or in any meat or meat product derived from that part of an animal, specified in the fifth column of such Annex I or III, opposite the reference to that substance and the maximum residue limit specified in the fourth column of such Annex I or III opposite the reference to that substance shall then apply in respect of the presence in such part of an animal, or in any meat or meat product derived from such part of an animal, of any such drug or drug metabolite (or combination thereof) as if it were that substance.”.

4. For regulation 4 (Prohibition on administration to animals of unlicensed substances) there shall be substituted the following regulation—

“4.—(1) Subject to paragraphs (2) and (3) and to regulation 4A(2), a person shall not administer any unlicensed substance to an animal.

(2) Nothing in paragraph (1) shall prohibit the administration of any veterinary medicinal product to an animal where it is administered in accordance with the exemption specified in regulation 4 or 5 of the Medicines (Restrictions on the Administration of Veterinary Medicinal Products) Regulations 1994.

(3) Nothing in paragraph (1) shall prohibit the administration to an animal of any medicated feedingstuff where it is administered in accordance with a veterinary written direction.”.

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(a) O.J. No. L270; 14.12.70, p. 1 as amended by Council Directive 84/587/EEC (O.J. No. L319, 8.12.84, p. 13)

5. After regulation 4 there shall be inserted—

*“Prohibition on administration to animals of Annex IV substances*

4A.—(1) Subject to paragraph (2), a person shall not administer to an animal any Annex IV substance.

(2) Nothing in regulation 4 or paragraph (1) shall prohibit giving an animal feedingstuff containing an Annex IV substance (whether or not it is also an unlicensed substance) where that substance has been incorporated in the feedingstuff in accordance with Council Directive 70/524/EEC concerning additives in feedingstuffs.”

6. In regulation 5(1)(a) (Prohibitions on the sale and slaughter of animals for human consumption) after head (iii) there shall be added the following—

“(iv) an Annex IV substance; or”

7. In regulation 6 (prohibition on the sale of meat or meat products) after the number “18” there shall be inserted “or any Annex IV substance”.

8.—(1) In regulation 8(1) (Results of primary analysis) after sub-paragraph (c) there shall be inserted the following sub-paragraph—

“(cc) an Annex IV substance;”.

(2) In regulation 8(1) and in regulation 9(3) (Reference analysis) for the words “give this to” there shall be substituted “serve a copy thereof on”.

9. For regulation 13 (Inspection of animals) there shall be substituted—

“13.—(1) An authorised officer may, by notice in writing served on the owner of an animal, require him to detain the animal at the place where it then is, or to remove it to such other place as is specified in the notice and detain it there, to enable the animal to be inspected by an authorised officer for the purpose of ascertaining whether there is present in it a residue of a prohibited substance or of an unlicensed substance or of an Annex IV substance or a residue of an authorised substance which an authorised officer reasonably suspects may result in any meat or meat product obtained from the animal containing an authorised substance at a concentration exceeding the relevant maximum residue limit.

(2) Where the owner of an animal fails to comply with a notice served on him under paragraph (1) an authorised officer may cause any animal to which that notice relates to be removed and detained to enable it to be inspected for the purpose of that paragraph.”.

10. In regulation 14(1) (Examination of animals) after the word “substance”, in the second place where it occurs, there shall be inserted the words “or of an Annex IV substance”.

11. In regulation 14(2)(a) and in regulation 15(1) (Notice of completion of examination) for the words “give notice in writing to” there shall be substituted “serve notice in writing on”.

**12.** In regulation 15(2) after the word “substance”, in the second place where it occurs, there shall be inserted the words “or Annex IV substance”.

**13.** In regulation 15(4) after the word “contains” there shall be inserted the words “an Annex IV substance, or”.

**14.** In regulation 15(5) and in regulation 17(1) (Exception to prohibition on slaughter) for the words “given in accordance with” in each place where it occurs there shall be substituted “served pursuant to”.

**15.** For regulation 17(5) there shall substituted—

“(5) Where the examination (the result of which shall be specified in a notice in writing served by an authorised officer on the owner) confirms that any part of the fresh meat contains an Annex IV substance or an authorised substance at a concentration exceeding the maximum residue limit, the fresh meat shall be disposed of for a purpose other than human consumption.”.

**16.—**(1) In regulation 18(1) (Residues in animals and carcasses) and in regulation 21(1)(a) (Offences, penalties and enforcement) for the words “given to” there shall be substituted “served on”.

(2) In regulation 18(3) for the word “given” in each place where it occurs there shall be substituted “served”.

**17.—**(1) In regulation 19(1) (Inspection of, and controls on, meat and meat products) for the words “give notice of that fact to” there shall be substituted “serve notice of that fact on”.

(2) In regulation 19(2) for the word “giving” there shall be substituted “service” and for the word “given” there shall be substituted “served”.

(3) In regulation 19(3) for the word “given” where it first occurs there should be substituted “served” and for the words “given by an authorised officer to” there shall be substituted “served by an authorised officer on”.

**18.** In regulation 20 (Keeping and retention of records)—

(a) at the end of paragraph (1) there shall be added the following sentence—

“Such a record shall be made within 72 hours of the administration of any veterinary medicinal product to any animal and shall be in a permanent and legible form.”;

(b) at the end of paragraph (2) there shall be added the following sentence—

“Such record shall be made within 72 hours of the slaughter of any animal and shall be in a permanent and legible form.”.

(c) after paragraph (3) there shall be added the following paragraphs—

“(4) Subject to paragraph (5) if an authorised officer directs a person to produce for inspection a record which paragraph (1) or (2) requires him to keep, he shall comply with the direction.

(5) No direction may be given under paragraph (4) after the end of the period mentioned in paragraph (3).

(6) The requirements under paragraphs (1) and (2) regarding the keeping of records in the form set out in Schedules 2 and 3 shall not prevent those records being kept by means of computer.

(7) Where a record is kept by means of computer the duty under paragraph (4) to produce that record for inspection, is a duty to produce it in a form in which it can be taken away.”.

**19.**—(1) In regulation 22(1) (Application and modification of provisions of the Food Safety (Northern Ireland) Order 1991) for sub-paragraph (c) there shall be substituted the following sub-paragraphs—

“(c) Article 33 (power of entry); and

(d) Article 34 (obstruction, etc of officers).”.

(2) In regulation 22(3), for the words “shall apply to these Regulations” there shall be substituted “shall apply for the purposes of these Regulations”.

**20.** For Schedule 1 there shall be substituted—

**The Council Regulation**Official  
Journal of the  
Communities: References

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Council Regulation (EEC) No. 2377/90 laying down a Community procedure for the maximum residue limits of veterinary medicinal products in foodstuffs of animal origin as amended by:—	O.J. No. L244, 18.8.90, p. 1
(a) Commission Regulation (EEC) No. 675/92	O.J. No. L173, 19.3.92, p. 8
(b) Commission Regulation (EEC) No. 3093/92	O.J. No. L83, 28.3.92, p. 14
(c) Commission Regulation (EEC) No. 895/93	O.J. No. L93, 17.4.93, p. 10
(d) Commission Regulation (EEC) No. 2901/93	O.J. No. L264, 23.10.93, p. 1
(e) Commission Regulation (EC) No. 3425/93	O.J. No. L312, 5.12.93, p. 12
(f) Commission Regulation (EC) No. 3426/93	O.J. No. L312, 15.12.93, p. 15
(g) Commission Regulation (EC) No. 955/94	O.J. No. L108, 28.4.94, p. 8
(h) Commission Regulation (EC) No. 1430/94	O.J. No. L156, 23.6.94, p. 6
(i) Commission Regulation (EC) No. 2701/94	O.J. No. L287, 8.11.94, p. 7
(j) Commission Regulation (EC) No. 2703/94	O.J. No. L287, 8.11.94, p. 19
(k) Commission Regulation (EC) No. 3059/94	O.J. No. L323, 16.12.94, p. 15''

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21. After Schedule 3 there shall be added the following Schedule—

**Maximum Residue Limits**

Column 1 <i>Substance</i>	Column 2 <i>Maximum Residue Limit</i>	Column 3 <i>Part of the Animal</i>	Column 4 <i>Indicator Residue</i>	Column 5 <i>Animal Species</i>
Streptomycin	1,000 µg/kg	Any edible tissues	Parent Drug	All food producing species
Clenbuterol	0.5 µg/kg	Any edible tissues	Parent Drug	All food producing species''

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 16th March 1995.

(L.S.)

*L. Sinclair*

Assistant Secretary

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 16th March 1995.

(L.S.)

*D. Baker*

Assistant Secretary



## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations amend the Animals, Meat and Meat Products (Examination for Residues and Maximum Residue Limits) Regulations (Northern Ireland) 1992 ("the 1992 Regulations") and implement as respects Northern Ireland EC Council Regulation 2377/90 (O.J. No. L244, 18.8.1990, p. 1), as amended, laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin.

The principal changes are that the Regulations extend the prohibition on admission to animals of unlicensed substances (regulations 4 and 5), provide for an authorised officer to cause animals to be removed or detained for inspection where the owner has failed to comply with a notice requiring this (regulation 9), require a record to be made within 72 hours of the administration of a veterinary medicinal product to an animal or within 72 hours of the slaughter of an animal and require a person to produce that record for inspection if directed by an authorised officer to do so (regulation 18):

The Regulations also make minor and technical changes to the 1992 Regulations.

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**1995 No. 98****Road Races (Benbradagh Hill Climb) Order  
(Northern Ireland) 1995**

This Order, being of a temporary character, is not printed at length in this volume.