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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 404**

**FOOD**

**Fresh Meat (Beef Controls) Regulations (Northern Ireland) 1996**

*Made* - - - - *31st August 1996*

*Coming into operation* *1st September 1996*

Whereas it appears to the Department of Agriculture acting as the Department concerned that it is necessary or expedient—

- (a) for the purpose of securing that food complies with food safety requirements or in the interests of public health; or
  - (b) for the purposes of protecting or promoting the interests of consumers,
- to make the following Regulations.

Now therefore the said Department concerned, in exercise of the powers conferred on it by Articles 15(1)(f), 25(1) and (3), 26(3), 44(1) and 47(2) of the Food Safety (Northern Ireland) Order 1991(1) and of every other power enabling it in that behalf and after consultation in accordance with Article 47(3) of the said Order with such organisations as appear to it to be representative of interests likely to be substantially affected by these Regulations, hereby makes the following Regulations:—

**Part I**

**Introduction**

**Citation and commencement**

1. These Regulations may be cited as the Fresh Meat (Beef Controls) Regulations (Northern Ireland) 1996 and shall come into operation on 1st September 1996.

**Interpretation**

2. In these Regulations—
  - “the Department” means the Department of Agriculture;
  - “meat” means any part of an animal that is suitable for human consumption;

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(1) S.I.1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12). See Article 2(2) for the definitions of “the Department concerned” and “regulations”

“official number” means the identification number allocated by the Department in accordance with the provisions of the Tuberculosis Control Order (Northern Ireland) 1964(2);

“the Order” means the Food Safety (Northern Ireland) Order 1991;

“sell” includes possess for sale, and offer, expose or advertise for sale.

## Part II

### Controls on sale of meat

#### Prohibition of sale of meat from older bovine animals

3.—(1) Subject to paragraph (3), a person shall not sell for human consumption any meat derived from a bovine animal slaughtered on or after 29th March 1996 and which, at the time of slaughter, was more than 2½ years of age.

(2) For the purposes of paragraph (1) the age of a bovine animal shall be ascertained—

- (a) in the first instance by reference to records kept in relation to that animal by the Department (in whatever form); or
- (b) where necessary, by dentition.

(3) Paragraph (1) shall not apply to meat derived from a bovine animal which—

- (a) was accompanied, at the time of slaughter, by a certificate issued under regulation 5(1);
- (b) was accompanied on admission to the slaughterhouse, by a veterinary certificate issued under regulation 5(2); or
- (c) was born, reared and slaughtered in one of the countries specified in Schedule 2.

## Part III

### Beef Assurance Scheme

#### Registration of herds

4.—(1) The owner of any herd may apply to the Department in writing for that herd to be registered as a member of the Beef Assurance Scheme.

(2) The Department shall maintain a register for the purposes of paragraph (1) and it shall enter in that register any herd—

- (a) in respect of which an application has been made under paragraph (1); and
- (b) which, at the time of the application, meets the conditions of eligibility set out in Part I of Schedule 1.

(3) The Department shall remove from the Register any herd—

- (a) where it appears to it that, at any time before registration the herd did not meet the conditions of eligibility set out in Part I of Schedule 1; or
- (b) which fails to meet the conditions of continued eligibility set out in Part II of Schedule 1.

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(2) [S.R. & O. \(N.I.\) 1964 No. 31](#); the relevant amending Orders are [S.R. & O. \(N.I.\) 1968 No. 236](#), [S.R. & O. \(N.I.\) 1973 No. 76](#), [S.R. 1986 No. 48](#) and [S.R. 1994 No. 216](#)

### **Duties of owners of registered herds**

5.—(1) The owner of a registered herd shall ensure that any bovine animal from that herd sent for slaughter for human consumption meets the conditions set out in Part III of Schedule 1 and where the animal does so, a veterinary inspector or other officer of the Department shall certify that fact in writing.

(2) The owner of a registered herd shall ensure that the carcase of any slaughtered bovine animal from that herd which is admitted to a slaughterhouse meets the conditions set out in Part IV of Schedule 1 and, where the animal does so, a veterinary inspector or other officer of the Department shall certify the fact in writing.

### **Interpretation of Part III**

6. In this Part—

“the Beef Assurance Scheme” means the Scheme for the registration of herds under and for the purposes of this Part and for the certification of animals belonging to such herds;

“beef herd” means a herd of bovine animals kept wholly or mainly for the production of meat;

“dairy herd” means a herd of bovine animals kept wholly or mainly for the production of milk;

“herd” means one or more bovine animals in the same ownership;

“Register” means the register kept by the Department under regulation 4(2) and “registered” in relation to any herd means for the time being entered in the Register under that paragraph;

“veterinary inspector” means a person appointed by the Department to be an inspector for the purposes of the Diseases of Animals (Northern Ireland) Order 1981(3), being a member of the Royal College of Veterinary Surgeons or any veterinary practitioner qualified as approved by the Department.

## **Part IV**

### **General**

### **Offences and penalties**

7.—(1) If any person—

(a) contravenes any provision of these Regulations; or

(b) furnishes to any person acting in the execution of these Regulations any information which he knows to be false or misleading,

he shall be guilty of an offence.

(2) Any person guilty of an offence under paragraph (1) shall be liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum; or

(b) on conviction on indictment, to a fine or imprisonment for a term not exceeding two years or to both.

### **Application of various provisions of the Order**

8. The following provisions of the Order shall apply for the purposes of these Regulations as they apply for the purposes of Articles 7, 13 and 14 of the Order and, accordingly, a reference in them to the Order shall be construed as a reference to these Regulations—

- (a) Articles 2(4) and 3 (extended meaning of “sale” etc);
- (b) Article 4 (presumptions that food intended for human consumption);
- (c) Article 8 (inspection and seizure of suspected food);
- (d) Article 34 (obstruction, etc., of officers);
- (e) Article 35 (time limit for prosecutions).

### **Enforcement**

9. In premises licenced under the Slaughter Houses Act (Northern Ireland) 1953(4) these Regulations shall be enforced and executed by the Department of Agriculture, and in any other case these Regulations shall be enforced and executed by each district council within its district.

Sealed with the Official Seal of the Department of Agriculture on 31st August 1996.

*Evelyn Cummins*  
Assistant Secretary

## SCHEDULE 1

Regulation 4(2) and (3) and (5)

### The Beef Assurance Scheme

#### Part I

##### Conditions of eligibility

1. The conditions of eligibility for a herd (in this Part referred to as “the herd”) to be registered under and for the purposes of the Beef Assurance Scheme are set out in paragraphs 2 to 9.
2. The herd shall be a beef herd.
3. Any other beef herd kept on the same holding shall be managed as a separate herd, so that none of the following are common to the herds: calving facilities, housing or grazing, or bulls, if used.
4. A bovine animal shall not have been kept, reared or used for milk production on the same holding as the herd within the seven years prior to the application for registration of the herd.
5. Any bovine animals born or reared in a dairy herd shall be removed from the herd before it is registered.
6. There shall have been no confirmed cases of Bovine Spongiform Encephalopathy—
  - (a) in the herd;
  - (b) in any bovine animal originating from the herd;
  - (c) in any other herd to which bovine animals in the herd have ever belonged.
- 7.—(1) The herd shall have been in existence for four years.  
(2) The applicant shall produce all records necessary to satisfy the Department on this point.
8. Over the seven year period prior to the date of the application for registration of the herd, to the best of the applicant’s knowledge, no bovine animal in the herd shall have been fed any feed containing meat and bone meal. In order to satisfy himself on this point the applicant shall make all necessary enquiries of suppliers of feed to the holding.
9. Over the four year period prior to the date of application for registration of the herd, no bovine animal in the herd shall have been fed any compound feed other than—
  - (a) home mixed feed using no meat and bone meal; or
  - (b) proprietary feed from a mill which only produced feed for ruminants.

#### Part II

##### Conditions of continued membership

1. The conditions of eligibility for a herd (in this Part referred to as “the herd”) to be continued to be registered for the purposes of the Beef Assurance Scheme are set out in paragraphs 2 to 6.
2. All births, movements and deaths of bovine animals in the herd shall be notified to the Department in accordance with the conditions specified by the Department in writing and issued to the owner of the herd.
3. Bovine animals may only be added to a registered herd where—
  - (a) the herd from which the additional animal is obtained is also a registered herd; or

- (b) the animal is a replacement breeding animal from a beef herd which satisfies the requirements of paragraph 6 of Part I.
- 4. The herd shall continue to meet the requirements set out in paragraphs 2 to 6 of Part I.
- 5. A bovine animal in the herd shall not be fed—
  - (a) any feed containing meat and bone meal; or
  - (b) any compound feed other than—
    - (i) home mixed feed using no meat and bone meal; or
    - (ii) proprietary feed from a mill which only produces feed for ruminants.
- 6. The owner of a registered herd shall pay to the Department such reasonable charge as the Department may from time to time determine to be the annual membership fee for the Beef Assurance Scheme, which charge shall not exceed the appropriate share of the administration costs of the Scheme.

### Part III

#### Conditions for the issue of a slaughter certificate

- 1. The animal shall be part of a herd which, at the time of issue of the certificate, is registered under the Beef Assurance Scheme and complies with the conditions of eligibility set out in Part I and Part II.
- 2. The animal shall have been born in the herd to which it belongs at the time of issue of the certificate, or in another herd which was registered at the time of slaughter.
- 3. The animal shall never have formed part of a herd which at that time failed to comply with the conditions of eligibility for membership of the Beef Assurance Scheme set out in Part I or Part II.
- 4. The animal shall have two ear tags bearing the official number of the animal, one of which must be readable at a distance.
- 5. The animal shall not be more than 42 months old at the time of issue of the certificate.

### Part IV

#### Conditions for the issue of a veterinary certificate

- 1. The carcase shall be that of an animal forming part of a herd which, at the time of slaughter, was registered and complied with the conditions set out in Part I and Part II.
- 2. The carcase shall be that of an animal born in the herd to which it belonged at the time of slaughter, or in another herd which was registered at the time of slaughter.
- 3. The carcase shall be that of an animal which never formed part of a herd which at that time failed to comply with the conditions of eligibility for membership of the Beef Assurance Scheme set out in Part I or Part II.
- 4. The carcase shall have two ear tags bearing the official number of the animal.
- 5. The carcase shall be that of an animal not more than 42 months old at the time of issue of the certificate.

SCHEDULE 2

Regulations 3(3)(c)

Countries exempted from regulation 3(1)

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|-------------|--------------------------|
| Argentina   | Paraguay                 |
| Australia   | Poland                   |
| Botswana    | South Africa             |
| Brazil      | Swaziland                |
| Mauritius   | Uruguay                  |
| Namibia     | United States of America |
| New Zealand | Zimbabwe                 |

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**EXPLANATORY NOTE**

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

These Regulations replace the provisions of the Beef (Emergency Control) Order (Northern Ireland) 1996 (S.R. [1996 No. 132](#)), as amended, by prohibiting the sale for human consumption of meat derived from bovine animals slaughtered on or after 29th March 1996 and which, at the time of slaughter, were more than 2½ years of age (regulation 3(1)).

Meat from bovine animals which were born, reared and slaughtered in any of the countries listed in Schedule 2 is exempt from the prohibition on sale. An exemption also exists for meat from bovine animals which belonged to a herd registered under the Beef Assurance Scheme (regulation 3(3)).

The operating rules of the Beef Assurance Scheme are set out in Part III of the Regulations and Schedule 1.