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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 595**

**AGRICULTURE**

**Selective Cull (Enforcement of Community Compensation Conditions) Regulations (Northern Ireland) 1996**

*Made - - - - 18th December 1996*

*Coming into operation 8th January 1997*

The Department of Agriculture, being a Department designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

**Citation and commencement**

1. These Regulations may be cited as the Selective Cull (Enforcement of Community Compensation Conditions) Regulations (Northern Ireland) 1996 and shall come into operation on 8th January 1997.

**Interpretation**

2.—(1) The Interpretation Act (Northern Ireland) 1954(3) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(2) In these Regulations—

“approved operator” means the operator of a rendering plant, or the operator of an incinerator approved under regulation 12(2) of the Specified Bovine Material (Treatment and Disposal) (No. 3) Regulations (Northern Ireland) 1996(4), as the case may be;

“the Commission Regulation” means Commission Regulation (EC) No. 1484/96(5) adopting exceptional support measures for the beef market in the United Kingdom by application of Commission Decision 96/385/EC(6);

“Community provision” means a provision of the Commission Regulation specified in the Schedule;

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(1) S.I.1972/1811

(2) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.I. 1994/2795 (N.I. 15)

(3) 1954 c. 33 (N.I.)

(4) S.R. 1996 No. 390

(5) O.J. No. L188, 27.7.96, p. 25

(6) O.J. No. L151, 26.6.96, p. 39

“licensed operator” means the owner or occupier of a slaughter-house licensed under section 1 of the Slaughter-houses Act (Northern Ireland) 1953(7);

“rendering plant” has the same meaning as in the Specified Bovine Material (No. 2) Order (Northern Ireland) 1996(8); and

“selective cull” means the compulsory slaughter programme introduced under paragraph 10A of Part I of Schedule 2 to the Diseases of Animals (Northern Ireland) Order 1981(9) in accordance with the eradication plan for bovine spongiform encephalopathy drawn up by the United Kingdom and approved by Commission Decision 96/385/EC.

### **Offences**

**3.**—(1) Where there is, in any slaughter-house, a contravention of any Community provision referred to in Column 1 of Part I of the Schedule, the licensed operator of that slaughter-house shall be guilty of an offence.

(2) Where there is, in any premises housing an incinerator or rendering plant, a contravention of any Community provision referred to in Column 1 of Part II of the Schedule, the approved operator of that incinerator or rendering plant, as the case may be, shall be guilty of an offence.

### **Penalties**

**4.** A person guilty of an offence under regulation 3 shall be liable on conviction on indictment to a fine, and on summary conviction to a fine not exceeding level 5 on the standard scale

Sealed with the Official Seal of the Department of Agriculture on 18th December 1996.

L.S.

*P. T. Toal*  
Assistant Secretary

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(7) 1953 c. 21 (N.I.)

(8) S.R. 1996 No. 360

(9) S.I. 1981/1115 (N.I. 22). The relevant amending Order is S.R. 1990 No. 135

SCHEDULE

Regulation 3

Community Provisions

Part I

Applicable to Licensed Operators

Column 1 Provision of the Commission Regulation	Column 2 Subject matter
Article 1(2)	Requirement that heads, internal organs and carcasses be permanently stained
Article 1(2)	Requirement that stained material be transported in sealed containers to specially authorised incinerators or rendering plants
Article 1(2)	Prohibition on any part of an animal slaughtered under the selective cull entering the human or animal food chains or being used for cosmetic or pharmaceutical products
Article 1(3)	Requirement that no bovine animal intended for human consumption be present in a slaughterhouse when animals are being slaughtered under the selective cull
Article 1(3)	Requirement that, where animals to be slaughtered under the selective cull need to be lairaged prior to slaughter, they are kept separate from bovine animals intended for human or animal consumption
Article 1(3)	Requirement that, where it is necessary to store products derived from animals slaughtered under the selective cull, such products shall be stored separately from any storage facility used for meat or other products intended for human or animal consumption

Part II

Applicable to Approved Operators

Article 1(2)	Requirement that stained material be processed and destroyed
Article 1(2)	Prohibition on any part of an animal slaughtered under the selective cull entering the

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Article 1(3)	human or animal food chains or being used for cosmetic or pharmaceutical products Requirement that, where it is necessary to store products derived from animals slaughtered under the selective cull, such products shall be stored separately from any storage facility used for meat or other products intended for human or animal consumption
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### EXPLANATORY NOTE

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

These Regulations make provision for the enforcement of certain of the requirements of Commission Regulation (EC) No. 1484/96, adopting exceptional support measures for the beef market in the United Kingdom by the application of Commission Decision 96/385/EC. That Regulation provides for the co-financing by the European Community of the compensation payable to owners of bovine animals slaughtered under the selective cull set out in the BSE eradication plan drawn up by the United Kingdom and approved by Commission Decision 96/385/EC. Various requirements are specified as to the slaughter, treatment and disposal of animals in respect of which compensation is payable.

Regulation 3 creates offences in respect of contraventions of the provisions of the Commission Regulation referred to in Column 1 (and described in Column 2) of the Schedule.