
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 495

**Minced Meat and Meat Preparations (Hygiene)
Regulations (Northern Ireland) 1997**

Part IV

Administration, Penalties and Enforcement

Information to be provided by district councils

10. Every district council shall provide the Department with such information relating to the execution of its duties under these Regulations as the Department may from time to time require.

Duties of occupier

11.—(1) The occupier of any premises shall take all necessary measures to ensure that in those premises these Regulations are complied with at all stages in the processes of production of minced meat or meat preparations in the premises and, in particular, shall carry out his own checks to ensure—

- (a) that critical points in relation to production in those premises are identified and acceptable to the enforcement authority;
- (b) that methods which are acceptable to the appropriate enforcement authority for monitoring and controlling such critical points are devised and followed;
- (c) that, when samples are taken for the purpose of checking compliance with the hygiene standards required by these Regulations, they are analysed or examined as appropriate in a laboratory acceptable to the enforcement authority;
- (d) that as far as is reasonable and practicable a record of compliance with sub-paragraphs (a) to (c) is kept in permanent form and that such a record is made available on request to the enforcement authority;
- (e) that health marking is controlled and carried out properly;
- (f) that the appropriate enforcement authority is notified immediately when a laboratory examination of samples, or any other information at the occupier's disposal, reveals a health risk; and
- (g) in the event of an imminent health risk arising in respect of any minced meat or meat preparations, that meat or those preparations and any other such meat or preparations obtained under technologically similar conditions and likely to present a similar degree of risk are withdrawn from the market, and that meat or preparations so withdrawn are held under the supervision and control of the enforcement authority until they are destroyed, used for purposes other than human consumption, or, with the agreement of the enforcement authority, reprocessed in a manner appropriate to ensure they are safe for human consumption.

(2) The occupier of any premises to which paragraph (1) relates shall further ensure—

- (a) that workers in the premises are given such instruction and training in hygiene matters as is appropriate to any tasks undertaken by them;
 - (b) that the packaging of minced meat and meat preparations produced in the premises bears a clear and legible indication of the temperature at which those products are to be transported and stored and—
 - (i) in respect of chilled minced meat or meat preparations, the use-by date; and
 - (ii) in respect of deep frozen minced meat or meat preparations, the minimum durability date; and
 - (c) that microbiological tests are conducted at the frequency, and assessed using the criteria for interpretation, laid down in Schedule 11 or 13, as appropriate.
- (3) Any record required to be kept in pursuance of paragraph (1)(d) shall be kept for a period of at least 2 years from the date of production of the minced meat or meat preparations to which it relates or, in the case of chilled minced meat or meat preparations, for a period of six months after the expiry of the ‘use-by’ date thereof.

Supervision and enforcement

12.—(1) These Regulations shall be enforced and executed by the Department or any district council or by the Department and any district council acting jointly and any authority having such responsibility shall be known for the purposes of these Regulations as “an enforcement authority”.

(2) Premises shall be inspected and monitored by an enforcement authority in accordance with Schedule 6.

Offences and penalties

13.—(1) If—

- (a) a person (other than a district council acting as an approval authority or enforcement authority) contravenes any provision of these Regulations; or
- (b) the occupier of any premises fails to take all reasonable steps to secure the compliance by any person employed by him or any person admitted to those premises with any provision of these Regulations,

he shall be guilty of an offence and shall be liable—

- (i) on summary conviction, to a fine not exceeding level 5 on the standard scale; or
- (ii) on conviction on indictment, to a fine or imprisonment for a term not exceeding two years or both.

(2) No prosecution for such an offence shall commence after the expiry of—

- (a) three years from the commission of the offence; or
- (b) one year from its discovery by the prosecutor,

whichever is the earlier.

Application of various Articles of the Order

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

Article 3 (application to food offered as prizes etc.);

Article 4 (presumptions that food intended for human consumption);

Article 8 (inspection and seizure of suspected food);
Article 19 (offences due to fault of another person);
Article 20 (defence of due diligence);
Article 34 (obstruction etc. of officers); and
Article 43 (protection of public analyst acting in good faith).