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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 552**

**The Specified Risk Material  
Regulations (Northern Ireland) 1997**

**Part VII**

**Enforcement**

**Offences and penalties**

**29.**—(1) An occupier of food premises shall take all practicable steps to secure compliance by any of his employees with the provisions of these Regulations which apply to those premises.

(2) If any person contravenes—

- (a) paragraph (1);
- (b) any other provision of these Regulations; or
- (c) a direction given by the Department under regulation 26,

he shall be guilty of an offence and liable—

- (i) on summary conviction, to a fine not exceeding the statutory maximum; or
- (ii) on conviction on indictment, to a fine or imprisonment not exceeding the two years or to both.

(3) A prosecution for an offence under any of the provisions mentioned in paragraph (2) shall not be begun 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 provisions of the Food Safety (Northern Ireland) Order 1991**

**30.** The following provisions of the Food Safety (Northern Ireland) Order 1991 shall apply for the purposes of these Regulations as they apply for the purposes of Articles 7, 13 or 14 of that Order and, unless the context otherwise requires, any reference in them to the Order shall be construed as a reference to the Regulations—

- Article 2(4) and 3 (extended meaning of “sale”, 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 30(8) (evidence of certificate of analysis or examination);
- Article 34 (offence of obstruction, etc. of officers);

Article 35 (time limit for prosecution).

### **Enforcement**

**31.**—(1) These Regulations shall be enforced by the Department.

(2) On an inspection of any food intended for human consumption an official veterinary surgeon may certify that the food fails to comply with these Regulations.

(3) Where any food is certified as mentioned in paragraph (2) it may be treated for the purposes of Article 8 of the Food Safety (Northern Ireland) Order 1991 as failing to comply with food safety requirements.

### **Revocations**

**32.** The Heads of Sheep and Goats (Treatment and Disposal) Regulations (Northern Ireland) 1996<sup>(1)</sup> and the Specified Bovine Material (Treatment and Disposal) Regulations (Northern Ireland) 1997<sup>(2)</sup> are hereby revoked.

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(1) S.R. 1997 No. 497

(2) S.R. 1997 No. 230