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STATUTORY RULES OF NORTHERN IRELAND

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1999 No. 495

**FOOD**

**The Beef Bones (Amendment) Regulations  
(Northern Ireland) 1999**

*Made* . . . . . 15th December 1999

*Coming into operation* . . . . 17th December 1999

Whereas it appears to the Department of Agriculture and Rural Development<sup>(a)</sup> acting as the Department concerned that it is necessary or expedient—

(a) for the purposes 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 the exercise of the powers conferred on it by Articles 15(1), (3), 25 and 47(2) of, and paragraphs 2(1), 3, 5(1) and 6(1) of Schedule 1 to the Food Safety (Northern Ireland) Order 1991<sup>(b)</sup> 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:

*Citation and commencement*

1. These Regulations may be cited as the Beef Bones (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation on 17th December 1999.

*Amendments to the Beef Bones Regulations (Northern Ireland) 1997*

2. The Beef Bones Regulations (Northern Ireland) 1997<sup>(c)</sup> shall be amended in accordance with regulations 3 to 9.

*Bone-in beef*

3. For regulation 3 there shall be substituted the following regulation—

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(a) Formerly the Department of Agriculture for Northern Ireland; *see* S.I. 1999/283 Article 3(4)  
(b) S.I. 1991/762 (N.I. 7) as amended by S.I. 1996/1633 (N.I. 12)  
(c) S.R. 1997 No. 540

*“Bone-in beef*

**3.**—(1) Subject to paragraphs (2) and (3), a person shall not use any bone-in beef in the preparation, in the course of a business, of any food or ingredient for human consumption.

(2) The prohibition in paragraph (1) shall not apply to the use of bone-in beef in the production of food for sale direct to the ultimate consumer at the premises where the production takes place, including the case where the sale involves delivery of take-away food.

(3) Nothing in paragraph (1) shall prohibit the processing or treatment of bone-in beef for sale as such.”.

*Bones*

**4.** For regulation 4 there shall be substituted the following regulation—

*“Bones*

**4.**—(1) Subject to paragraph (3), a person shall not sell any bone removed from bone-in beef deboned in the United Kingdom for use in the preparation, in the course of a business, of any food or ingredient for human consumption.

(2) Subject to paragraph (4), a person shall not use any bone removed from bone-in beef deboned in the United Kingdom in the preparation, in the course of a business, of any food or ingredient for human consumption.

(3) The prohibition in paragraph (1) shall not apply to the sale of bones for use in the production of food for sale direct to the ultimate consumer at the premises where the production takes place, including the case where the sale to the ultimate consumer involves delivery of take-away food.

(4) The prohibition in paragraph (2) shall not apply to the use of bones in the production of food for sale direct to the ultimate consumer at the premises where the production takes place, including the case where the sale involves delivery of take-away food.”.

*Food and food ingredients*

**5.** For regulation 5 there shall be substituted the following regulation—

*“Food and food ingredients*

**5.**—(1) Subject to paragraph (5), a person shall not, in the course of a business, sell for human consumption any food an ingredient of which consists of bones removed from bone-in beef deboned in the United Kingdom.

(2) Subject to paragraph (6), a person shall not, in the course of a business, sell for human consumption any food an ingredient of which is derived from bones removed from bone-in beef deboned in the United Kingdom.

(3) A person shall not sell any substance derived from bones removed from bone-in beef deboned in the United Kingdom for use in the

preparation, in the course of a business, of any food or ingredient for human consumption.

(4) Subject to paragraph (7), a person shall not use any substance derived from bones removed from bone-in beef deboned in the United Kingdom in the preparation, in the course of a business, of any food or ingredient for human consumption.

(5) The prohibition in paragraph (1) shall not apply to the sale of any food, an ingredient of which consists of bones, direct to the ultimate consumer at the premises where it was produced (including the case where the sale involves delivery of take-away food) if the bones in question were added to the food at those premises.

(6) The prohibition in paragraph (2) shall not apply to the sale of food direct to the ultimate consumer at the premises where it was produced (including the case where the sale involves delivery of take-away food) if the ingredient in question was derived from the bones concerned at those premises.

(7) The prohibition in paragraph (4) shall not apply to the use of a substance in the production of food for sale direct to the ultimate consumer at the premises where the production takes place (including the case where the sale involves delivery of take-away food) if that substance was derived from the bones concerned at those premises.

(8) For the purposes of this regulation, an ingredient or substance shall be treated as derived from bones removed from bone-in beef regardless of whether it was derived from the bones before, during or after their removal from the bone-in beef.”.

#### *Deboning*

**6.** Regulation 6 is revoked.

#### *Storage of bones and substances*

**7.** For regulation 7 there shall be substituted the following regulation—

##### *“Storage of bones and substances*

**7.—(1)** Subject to paragraph (2), the operator of any food premises shall ensure that—

- (a) all bones at the premises which have been removed from bone-in beef deboned in the United Kingdom; and
- (b) all substances at the premises which have been derived from bones removed from bone-in beef deboned in the United Kingdom,

are stored separately from and do not come into contact with any other food at those premises.

(2) Paragraph (1) shall not apply to the storage of bones and substances at any premises at which (pursuant to these Regulations) the bones and substances are used in the production of food for sale direct to the ultimate consumer at those premises.”.

*Disposal of bones*

**8.** Regulation 8 is revoked.

*Records*

**9.** For regulation 9 there shall be substituted the following regulation—

*“Records*

**9.**—(1) Any person who at food premises debones bone-in beef shall make a record of the place to which the bones concerned are consigned.

(2) Where the bones are re-consigned the person re-consigning them shall make a record of the place to which they are consigned.

(3) Any record required to be made pursuant to paragraphs (1) and (2) shall be kept for at least two years from the date of making.

(4) This regulations shall not apply where bones are—

(a) disposed of by way of sale to the ultimate consumer; or

(b) not consigned or re-consigned for human consumption.”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 15th December 1999.

(L.S.)

*Liam McKibben*  
Senior Officer of the  
Department of Agriculture  
and Rural Development

## EXPLANATORY NOTE

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

1. These Regulations amend the Beef Bones Regulations (Northern Ireland) 1997 (S.R. 1997 No. 540) (“the 1997 Regulations”).
2. The amendments have effect to permit—
  - (a) the retail sale of beef bones;
  - (b) the sale of bone-in beef, even if it has been processed or treated prior to sale;
  - (c) the use of bone-in beef, beef bones and (subject to conditions) substances derived from beef bones in the production of food at catering and take-away premises;
  - (d) (subject to conditions) the sale at catering and take-away premises of any food produced there which contains ingredients consisting of beef bones; and
  - (e) (subject to conditions) the sale at such premises of any food produced there which contains ingredients derived from beef bones.
3. These Regulations do not have effect to lift the ban on the use of bones for manufactured and processed products.
4. These Regulations make a number of consequential amendments to the 1997 Regulations and in particular change the existing provision (regulation 7) relating to the storage of bones. They also change the existing provision (regulation 9) relating to the keeping of records.

£2.00

Published by The Stationery Office Limited

Printed in the UK by The  
Stationery Office Limited  
under the authority and  
superintendence of Carol  
Tullo, Controller of  
Her Majesty’s Stationery  
Office being the Government  
Printer for Northern Ireland and  
the Officer appointed to print the  
Measures of the Northern Ireland Assembly  
Dd. 601129. C5. 1/00. Gp. 130. 14567.