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STATUTORY RULES OF NORTHERN IRELAND

2001 No. 1

Specified Risk Material (Amendment) Order (Northern Ireland) 2001

Citation and commencement

1. This Order may be cited as the Specified Risk Material (Amendment) Order (Northern Ireland) 2001 and shall come into operation on 3rd January 2001.

Amendments to the Specified Risk Material Order (Northern Ireland) 1997

2. The Specified Risk Material Order (Northern Ireland) 1997((**1**)**s**hall be amended as provided in Articles 3 to 7.

Interpretation

3. In Article 2(1)—

(a) the definitions of "class I specified risk material", "class II specified risk material", "intestines", "specified bovine material" and "specified sheep or goat material" shall be deleted;

(b) for the definition of "specified risk material" there shall be substituted the following definition—

"specified risk material" means—

(a) specified bovine material;

(b) specified sheep or goat material;

(c) any part of the animal remaining attached to specified bovine material or specified sheep or goat material after dissection of the carcase;

(d) any animal material which comes into contact with specified bovine material or specified sheep or goat material after it has been removed from the carcase; and

(e) specified solid waste;"???" and

(c) after the definition of "specified solid waste" there shall be inserted the following definition—

""third country" means a country or territory outside the European Communities;".

Specified sheep or goat material and specified bovine material

4.—(1) In Article 3—

(a) in paragraph (1), the phrase "class I" shall be deleted; and

(b) paragraph (2) is revoked.

(2) For Article 4, there shall be substituted the following Article—

(**1**) S.R. 1997 No. 551

"**4.**—(1) In this Order "specified bovine material" means—

(a) the intestines from the duodenum to the rectum of any bovine animal which was slaughtered or has died elsewhere than in Australia or New Zealand;

(b) the following material derived from a bovine animal which was slaughtered or has died in the United Kingdom or Portugal at an age greater than 6 months—

(i) the entire head (excluding the tongue but including the brains, eyes, trigeminal ganglia and tonsils);

(ii) the thymus;

(iii) the spleen;

(iv) the spinal cord; and

(c) in relation to a bovine animal which was slaughtered or has died at an age greater than 30 months (other than a bovine animal which was accompanied at the time of slaughter by a slaughter certificate issued under the Beef Assurance Scheme as described in Schedule 1 to the Fresh Meat (Beef Controls) Regulations (Northern Ireland) 1996(**2**)), the vertebral column (including dorsal root ganglia); and

(d) the following material derived from a bovine animal which was slaughtered or has died, at an age greater than 12 months, elsewhere than in the United Kingdom, Portugal, Australia or New Zealand —

(i) the skull (including the brains and eyes);

(ii) the tonsils; and

(iii) the spinal cord.

(2) In this Article, the references to Portugal do not include a reference to the Autonomous Region of the Azores.".

Import of Specified Risk Material

5. For Article 6 there shall be substituted the following Article—

"Import of specified risk material

6.—(1) A person shall not import into Northern Ireland from any place outside the United Kingdom, the Channel Islands and the Isle of Man, any specified risk material except where it is to be transported directly to—

(a) licensed premises;

(b) a veterinary or medical school, laboratory, hospital or similar institution for instructional, diagnostic or research purposes; or

(c) in the case of specified risk material imported from another member State—

(i) the premises referred to in regulation 21(1)(*a*), of the Specified Risk Material Regulations (Northern Ireland) 1997(**3**) for direct consignment therefrom to the premises referred to in regulation 21(1)(*d*) of those Regulations; or

(ii) the premises referred to in regulation 21(1)(*d*) of those Regulations.

(**2**) S.R. 1996 No. 404 as amended by S.R. 1996 No. 506

(**3**) S.R. 1997 No. 552 as amended by S.R. 1999 No. 157, S.R. 1999 No. 431 and S.R. 2000 No. 295

(2) A person shall not import into Northern Ireland from any place outside the United Kingdom, the Channel Islands and the Isle of Man, any food or feedingstuff listed in Schedule 1, except food or feedingstuff which—

(a) does not contain specified risk material; and

(b) in the case of any food or feedingstuff that is imported from a third country, is accompanied by a certificate in the form set out in Schedule 2, issued by the appropriate veterinary authority of the place from which the food or feedingstuff was dispatched.

(3) Where specified risk material is imported under paragraph (1), the importer shall ensure that it is transported to its place of destination without delay.

(4) A person shall not be considered to have contravened any prohibition in paragraph (2) where he is able to prove—

(a) where it is alleged that he imported a food or feedingstuff listed in Schedule 1 containing specified risk material, that he did not know or have any reason to believe that the food or feedingstuff imported by him contained any specified risk material;

(b) where it is alleged that he imported a food or feedingstuff listed in Schedule 1 without the certificate referred to in paragraph (2)(*b*) accompanying it, that the food or feedingstuff was accompanied by a document purporting to be the certificate required by that paragraph, which he did not know or have any reason to believe to be false; and

(c) where it is alleged that he imported a food or feedingstuff listed in Schedule 1 which contained specified risk material and was not accompanied by the certificate referred to in paragraph (2)(*b*), that he did not know or have reason to believe that the food or feedingstuff contained specified risk material.

(5) It shall be a defence for any person charged with an offence under paragraph (3) to prove that he took all reasonable steps to ensure that the specified risk material to which the charge relates was transported to its place of destination as required by that paragraph.”.

Prohibition on removal of brain or eyes

6. For Article 9 there shall be substituted the following Article—

“**9.** A person shall not remove the brain or eyes from the carcase of a bovine animal which at the time it was slaughtered or died was aged over six months, or from a carcase of a sheep or goat which at the time it was slaughtered or died either had one or more permanent incisor teeth erupted through the gum or was aged more than 12 months except—

(a) for the purposes of veterinary or scientific examination or research; and

(b) in a part of the premises kept free at all times from food, feedingstuffs and any cosmetic, pharmaceutical or medical product.”.

Consequential Amendments

7.—(1) In Article 10 (*Approved premises not producing food, feedingstuffs or cosmetic, pharmaceutical or medical products*) the words “class II” shall be deleted wherever they occur.

(2) In Article 14(1) (*Seizure and destruction of imports*), the words “class I” shall be deleted.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 2nd January 2001.

L.S.

R. S. Johnston
A senior officer of the
Department of Agriculture and Rural
Development