
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 209

Animal By-Products Order (Northern Ireland) 2002

Part I

Introduction

Citation and commencement

1. This Order may be cited as the Animal By-Products Order (Northern Ireland) 2002 and shall come into operation on 8th July 2002.

Interpretation and scope

2.—(1) In this Order, unless the context otherwise requires—

“animal” includes poultry;

“animal by-products” means—

- (a) animal carcasses;
- (b) parts of animal carcasses (including blood); or
- (c) products of animal origin;

not intended for human consumption, with the exception of animal excreta and catering waste;

“approved disinfectant” means a disinfectant for the time being approved by the Department under the Diseases of Animals (Approval of Disinfectants) Order (Northern Ireland) 1972(1);

“catering waste” means the following products when they are no longer intended for human consumption—

- (a) waste from catering and domestic premises;
- (b) waste from the production of products which are intended to be used for human consumption without further cooking; or
- (c) waste from the production of bread, cakes, pasta, pastry, pizzas and similar products (whether or not intended to be used for human consumption without further cooking);

“container” means a bin, box, skip or other receptacle used for the carriage of animal by-products or catering waste, which is not self-propelled;

“high risk material” means animal by-products of the following description, or any material containing such by-products—

- (a) animal by-products which present a serious risk of spreading communicable disease to man or animals;

- (b) all animals kept for agricultural production, which have died or been killed but were not slaughtered for human consumption, including stillborn animals and fetuses but excluding animals slaughtered during transit for reasons of their welfare;
- (c) dead animals not referred to in paragraph (b) but which are designated as high risk material by notice by the Department;
- (d) animals (other than those slaughtered for human consumption) which are killed in the context of disease control measures;
- (e) animal by-products from animals which, during pre-slaughter veterinary inspection, show clinical signs of diseases communicable to man or animals;
- (f) fish which show clinical signs of disease communicable to man or fish;
- (g) all animal by-products (other than hides, skins, hooves, feathers, wool, horns, blood and similar products) which are from animals (other than fish, crustaceans or molluscs) slaughtered in the normal way if either—
 - (i) the animal by-product is not presented for post mortem veterinary inspection, or
 - (ii) during the post mortem veterinary inspection the animal by-product shows gross pathological lesions indicating disease communicable to man or animals;
- (h) all meat, poultry meat, fish, game and foodstuffs of animal origin which are spoiled in such a way that they present a risk to human or animal health;
- (i) animal by-products from animals, fish or game, fresh meat, poultrymeat, meat products and milk products imported from any country other than a member State which fail to comply with the veterinary requirements for their importation into the Community, unless they are re-exported or their import is accepted under restrictions laid down in Community provisions; or
- (j) animal by-products containing residues of substances which may pose a danger to human or animal health, or milk, meat or products of animal origin rendered unfit for human consumption by the presence of such residues;

“knacker’s yard” means any premises used in connection with the business of killing, flaying or cutting up animals the flesh of which is not intended for human consumption but does not include—

- (a) hunt kennels or other premises where the flesh is fed to animals;
- (b) premises used for diagnostic, educational or research purposes;
- (c) premises which do not take high risk material; or
- (d) premises where animals are cut up solely for the purpose of incineration;

“livestock” means—

- (a) any creature, including fish, kept for the production of food, wool, skin or fur, and any creature, other than a dog, kept for use in the farming of land; and
- (b) any ruminant animal, pig, poultry or equine animal;

“low risk material” means animal by-products other than high risk material;

“person in charge” includes—

- (a) in relation to an aircraft, the commander of that aircraft; and
- (b) in relation to a vessel, the master of that vessel;

“the 1981 Order” means the Diseases of Animals (Northern Ireland) Order 1981;

“pharmaceutical or technical products” means products intended for purposes other than human food or animal feeding stuffs;

“used cooking oil” means catering waste consisting of oils and fats from food-processing and the by-products of such oils and fats (other than any such oils and fats derived in any way from ruminant bones) where these are collected from food businesses (as such term is defined in Article 2 of Council Directive [93/43/EC](#) on the hygiene of foodstuffs⁽²⁾).

(2) Rendered material complies with the microbiological standards for the purposes of this Order if—

- (a) in the case of rendered material derived from high risk material, it is free from *Clostridium perfringens*;
- (b) it is free from Salmonella; and
- (c) it successfully passes the test for *Enterobacteriaceae* in paragraph 5 of Part IV of Schedule 3;

(3) The provisions of this Order shall not apply in relation to—

- (a) hides, skins, shells, hooves, feathers, wool, horns, blood and similar products which are not used in the manufacture of feeding stuffs but shall apply to such products when originating from animals which show clinical signs of any disease communicable through that product to man or animals;
- (b) specified risk material controlled by the Specified Risk Material Regulations (Northern Ireland) 1997⁽³⁾ or the Specified Risk Material Order (Northern Ireland) 1997⁽⁴⁾;
- (c) a by-product from a wild mammal or wild bird, other than one produced in premises used for processing mammals or birds;
- (d) petfood from butchers' shops;
- (e) milk or milk products other than—
 - (i) high-risk milk or milk products, and
 - (ii) milk or milk products originating from animals which show clinical signs of any disease communicable through milk or milk products to man or animals;
- (f) fish caught and discarded at sea and waste from the processing of fish at sea; or
- (g) the feeding of birds of prey.

Extension of definitions of animals and poultry

3. For the purposes of the 1981 Order in its application to this Order—

- (a) the list of animals in Part I of Schedule 1 to the 1981 Order is hereby extended so as to comprise—
 - (i) any kind of mammal except man;
 - (ii) any kind of four-footed beast which is not a mammal;
 - (iii) fish, reptiles and crustaceans; and
 - (iv) other cold-blooded creatures of any species;
- (b) the list of poultry in Part II of Schedule 1 to the 1981 Order is hereby extended so as to comprise birds of every species; and
- (c) the lists of diseases in Parts III and IV of Schedule 1 to the 1981 Order are hereby extended so as to comprise all diseases of animals and birds.

(2) O.J. No. L175, 19.07.93, p. 1

(3) S.R. 1997 No. 552 as amended by S.R. 1999 No. 157, S.R. 1999 No. 431, S.R. 2000 No. 295, S.R. 2001 No. 48, S.R. 2001 No. 196 and S.R. 2001 No. 376

(4) S.R. 1997 No. 551 as amended by S.R. 2001 No. 1 and S.R. 2001 No. 377

Part II

Disposal of High Risk and Low Risk Material

Scope of Part II

4. The provisions of this Part shall apply in relation to all high risk and low risk material.

Restrictions on disposal of animal by-products

5.—(1) Subject to the provisions of this Article, any person who has in his possession or under his control any animal by-product shall without undue delay consign it for, or dispose of it by—

- (a) rendering or part-rendering in premises approved under Article 7;
- (b) incineration;
- (c) burning other than in an incinerator, or burying, if—
 - (i) it is in a place where access is difficult; or
 - (ii) the quantity of by-product and the distance to premises in which disposal is permitted under this Article do not justify transporting it;
- (d) use for diagnostic, educational or research purposes;
- (e) in the case of low risk material, production of petfood or pharmaceutical or technical products, or storage for the production of petfood at premises registered under Article 15;
- (f) treatment at a knacker's yard approved under Article 17 or feeding to zoo, circus or fur animals, recognised packs of hounds or maggots farmed for fishing bait at premises registered under Article 16, provided that the material consigned is—
 - (i) a by-product referred to in paragraph (b), (c) or (g)(i) of the definition of high risk material in Article 2(1) (provided that it is not from an animal slaughtered as a result of the presence or suspected presence of a notifiable disease listed in Annex I to Council Directive [82/894/EEC](#) (on the notification of animal diseases within the Community)(~~5~~); or
 - (ii) low risk material; or
- (g) export from Northern Ireland.

(2) If the Department serves on the person in charge of any animal by-product a notice certifying that—

- (a) the by-product is from animals infected or suspected of being infected with an epizootic disease and should not be transported because of health risks;
- (b) the by-product contains, or is suspected of containing, residues or pathogens which could constitute a risk to human or animal health and which could survive rendering; or
- (c) there is a lack of capacity at rendering premises or incinerators,

then that person shall, without undue delay, dispose of the by-product by burning or by burial as may be specified in the notice.

(3) A person shall not feed to any ruminant animal, pig or poultry or allow any ruminant animal, pig or poultry to have access to, any unrendered animal by-product.

(5) O.J. No. L378, 31.12.82 as amended by Council Regulation ([EEC](#)) No. [3768/85](#) (O.J. No. L362, 31.12.85, p. 8), Commission Decision [89/162/EEC](#) (O.J. No. L61, 4.3.89, p. 48), and Commission Decision [92/450/EEC](#) (O.J. No. L248, 28.8.92, p. 77)

Collection and transport of animal by-products

6.—(1) The owner or person in charge of any premises used for the collection or holding of animal by-products shall ensure that such material is collected or held on the premises in such a manner as to prevent the leakage or escape of any effluent and so that no animals or birds can gain access to that material.

(2) Any container or vehicle used for the transport of animal by-products must be leak-proof and adequately covered.

(3) Any vehicle, tarpaulin or other cover and any reusable container used in the transport of animal by-products must be maintained in a clean condition.

(4) A person shall not use or cause or permit to be used any vehicle for the removal of part-rendered or rendered animal by-products unless the material is—

- (a) carried in a leak-proof container which is closed by a tightly fitting lid or other cover which prevents spillage and both the container and the lid or other cover are capable of being cleansed and disinfected; or
- (b) enclosed by impervious material capable of being thoroughly cleansed and disinfected and the vehicle is so constructed as to prevent any leakage or spillage of that material.

(5) The person in charge of any vehicle or container who uses or causes that vehicle or container to be used for the removal of any animal by-products, part-rendered animal by-products or rendered animal by-products shall, before each occasion on which it is so used, thoroughly cleanse and disinfect it with an approved disinfectant.

(6) The person in charge of any vehicle or container who uses or causes that vehicle or container to be used for the removal of any animal by-products, part-rendered animal by-products or rendered animal by-products shall, after each occasion on which it was so used, and in any event before further use is made of it for the removal of such material or any animals or poultry or other matter, thoroughly cleanse and disinfect it with an approved disinfectant.

(7) A person shall not—

- (a) place or carry any ruminant animal, pig or poultry, feeding stuffs intended for feeding to any ruminant animal, pig or poultry or anything intended to be used for or about any ruminant animal, pig or poultry in any vehicle or container which contains animal by-products; or
- (b) place or carry any animal by-products in any vehicle or container which contains rendered or part-rendered animal by-products.

(8) Where animal by-products which have been derived from animals or fish fit for human consumption are transported in bulk directly to rendering premises, the container shall be labelled with—

- (a) the source and description of the animal by-product; and
- (b) the words “Not for human consumption” in letters at least 2 centimetres high which are clearly visible and legible.

Approval of premises and equipment for rendering animal by-products

7.—(1) A person shall not use any premises or equipment for rendering or part-rendering any animal by-products except under and in accordance with the conditions of an approval granted by the Department.

(2) The Department shall grant an approval for premises and equipment for rendering or part-rendering high risk or low risk material if it is satisfied that—

- (a) the premises comply with the requirements of Schedule 1 and will be maintained and operated in accordance with that Schedule;
 - (b) the material will be rendered or part-rendered in accordance with Schedule 2;
 - (c) the rendered material has been sampled on a daily basis over a period of 30 days before the approval is granted and the samples taken comply with the microbiological standards in Article 2(2), except that this requirement shall not apply when animal by-products—
 - (i) are to be rendered in accordance with Method 1 of Part II of Schedule 2; or
 - (ii) are to be part-rendered in accordance with the conditions of the approval;
 - (d) the rendering equipment will not be used to render any specified risk material controlled by the Specified Risk Material Regulations (Northern Ireland) 1997 or the Specified Risk Material Order (Northern Ireland) 1997;
 - (e) where applicable, there will be no cross-contamination between different types of material; and
 - (f) all other conditions of this Order will be complied with.
- (3) The approval shall specify—
- (a) the name and address of the premises;
 - (b) the rendering equipment and the method of rendering or part-rendering;
 - (c) whether material may be rendered or part-rendered;
 - (d) the type of material which may be rendered or part-rendered;
 - (e) the parameters to be achieved during rendering or part-rendering; and
 - (f) any other conditions which the Department considers necessary to ensure that this Order is complied with.
- (4) While the rendered product is being tested in accordance with paragraph (2)(c), the Department may grant a provisional approval for rendering the material, which shall specify how the rendered material shall be disposed of.

Operation of approved rendering plants

8.—(1) A person holding an approval under Article 7 shall maintain and operate the premises and equipment in accordance with Schedule 1 and shall render material in accordance with Schedule 2 and the approval.

(2) A person shall not render specified risk material controlled by the Specified Risk Material Regulations (Northern Ireland) 1997 or the Specified Risk Material Order (Northern Ireland) 1997 in any equipment approved for rendering animal by-products under Article 7.

Sampling the rendered product

9.—(1) If rendered material is intended for use in feeding stuffs (other than petfood) then the operator of a rendering plant shall act in accordance with this Article.

(2) The operator shall establish and use an identification system which makes it possible to identify each rendered batch.

(3) In the case of rendered material derived from high risk material, the operator shall, once every week—

- (a) take from the outlet of each cooker in use at the premises a sample of at least 50 grammes of freshly rendered proteinaceous material; and
- (b) send the sample to an authorised laboratory for testing for *Clostridium perfringens*.

(4) In the case of all rendered material, the operator shall, on each day that the material is despatched from the premises—

- (a) take samples of the rendered proteinaceous material using one of the methods specified in Part I of Schedule 3 and aggregate the samples to produce a final sample in accordance with that method; and
- (b) send the final sample to an authorised laboratory for testing for *Salmonella* and *Enterobacteriaceae*.

(5) Whenever an operator sends a sample to an authorised laboratory, he shall send with the sample the following information in writing—

- (a) the name and address of the premises at which the sample was taken;
- (b) the date on which the sample was taken; and
- (c) the identity of the sample.

(6) If the test demonstrates that the rendered material does not comply with the microbiological standards in Article 2(2), then the operator shall—

- (a) notify the Department immediately of the full details of the nature of the sample and the lot from which it was derived;
- (b) ensure that no further rendered material suspected or known to be contaminated is moved from the premises unless—
 - (i) he takes all necessary measures to ensure that it is not used for feeding stuffs; or
 - (ii) it has been re-rendered under the supervision of the Department and re-sampled and re-tested by the Department, and re-testing has shown that the re-rendered material complies with the microbiological standards in Article 2(2);
- (c) establish the causes of failure of compliance;
- (d) increase the rate of sampling and testing of rendered material; and
- (e) instigate appropriate decontamination and cleaning procedures within the premises.

Authorisation and operation of laboratories

10.—(1) The Department shall authorise laboratories to carry out one or more of the tests in this Article if it is satisfied that they have the necessary facilities, personnel and operating procedures to do so.

(2) In deciding whether to grant or continue an authorisation, the Department may require the laboratory to successfully undertake any quality control tests as it shall reasonably think fit.

(3) The operator of an authorised laboratory carrying out tests on material submitted to him in accordance with this Order shall do so in accordance with this Article.

(4) A test for *Clostridium perfringens* shall be carried out in accordance with the method in Part II of Schedule 3 or (if specified in the authorisation) with a method which conforms with ISO 7937/1997 modified (BS EN-13401:1999) (Enumeration of *Clostridium perfringens*)(6).

(5) A test for *Salmonella* shall be carried out in accordance with one of the methods in Part III of Schedule 3 or (if specified in the authorisation) with a method which conforms with—

- (a) ISO 6579/1993 (BS5763:Part 4:1993) (Detection of *Salmonella*)(7);
- (b) BS EN-12824:1998 (Horizontal method for the detection of *Salmonella*)(8); or

(6) Published by the British Standards Institute, British Standards House, 389 Chiswick High Road, London W4 4AL

(7) Published by the British Standards Institute; *see above*

(8) Published by the British Standards Institute; *see above*

(c) NMKL 71:1999⁽⁹⁾.

(6) A test for *Enterobacteriaceae* shall be carried out in accordance with the method in Part IV of Schedule 3 or (if specified in the authorisation) with a method which conforms with ISO 7402/1993 (BS5763:Part 10:1993) (Enumeration of *Enterobacteriaceae*)⁽¹⁰⁾.

(7) The operator of a laboratory authorised under this Article shall forthwith notify the Department and the operator of the rendering plant, in the event of tests establishing that the material does not comply with microbiological standards in Article 2(2).

(8) The operator of an authorised laboratory shall notify the Department on the last day of every month of the number, type and results of tests carried out.

Records for authorised laboratories

11. The operator of a laboratory authorised under Article 10 shall record—

- (a) the name and address of the premises at which the sample was taken;
- (b) the date on which the sample was taken;
- (c) the identity of the sample;
- (d) the date on which the sample was received at the laboratory;
- (e) the date on which the sample was tested at the laboratory;
- (f) the test to which the sample was subjected; and
- (g) the result of that test.

Incineration

12. A person who incinerates animal by-products shall ensure that they are either—

- (a) completely incinerated immediately on arrival; or
- (b) stored in adequately covered leak-proof containers and completely incinerated without undue delay.

Burial of animal by-products

13. A person burying animal by-products shall—

- (a) sprinkle them with an approved disinfectant where this will prevent the spread of disease; and
- (b) bury them without undue delay in such a way that carnivorous animals cannot gain access to them.

Information to be furnished to the Department

14.—(1) A person who proposes to become engaged in the business of collection, holding or removal of animal by-products shall, not less than 10 days before he becomes so engaged, register with the Department providing the following information—

- (a) his name and the address at or from which the business is to be carried on;
- (b) whether his proposed business involves the collection, holding or removal of animal by-products or a combination of such activities;

⁽⁹⁾ Published by the Nordic Committee on Food Analysis, National Veterinary Institute, Department of Food and Hygiene, PO Box 8156, N-0033, Oslo, Norway

⁽¹⁰⁾ Published by the British Standards Institute; *see above*

- (c) the date on which he proposes to commence that business; and
- (d) the purpose for which the animal by-products are intended to be used.

(2) A person who engages in the business of collection, holding or removal of animal by-products shall notify the Department in writing of any changes in the particulars previously notified under paragraph (1), such notification to be made within 14 days of the change.

(3) A person who engages in the business of collection, holding or removal of animal by-products shall notify the Department in writing within one month of ceasing to engage in such business.

Petfood, pharmaceutical and technical premises

15.—(1) A person shall not use any premises for the production of petfood or for the production of pharmaceutical or technical products from animal by-products unless the premises and the occupier of the premises are registered by the Department in accordance with this Article.

(2) The Department shall register premises under this Article if it is satisfied that—

- (a) the premises have adequate facilities for storing and treating the animal by-products without risk to human or animal health;
- (b) the finished product will not create a risk to human or animal health; and
- (c) all other provisions of this Order will be complied with.

(3) A person shall not use any premises for the collection of animal by-products intended for the production of petfood (other than premises on which the animal by-products originate or premises registered under paragraph (1)) unless the premises and the occupier of the premises are registered by the Department in accordance with this Article.

(4) The Department shall maintain a register of premises registered under this Article containing the following information—

- (a) the name of the operator;
- (b) the address of the premises; and
- (c) the business carried on at the premises.

(5) A person shall not accept any unrendered or part-rendered high risk material into premises registered under this Article.

(6) The occupier of premises registered under paragraph (1) shall ensure that all animal by-products not incorporated into the product and all waste material arising during the production, are disposed of in accordance with Article 5.

(7) The occupier of premises registered under paragraph (1) shall ensure that all finished material not used for its intended purpose is disposed of by burial or in accordance with Article 5.

(8) The occupier of premises registered under paragraph (3) shall ensure that all animal by-products not consigned for the production of petfood are disposed of in accordance with Article 5.

(9) The Department may by notice require the occupier of the premises registered under this Article to store, process, despatch or dispose of animal by-products as may be specified in the notice.

Registration of premises used for the feeding of animal by-products to zoo, circus or fur animals, recognised packs of hounds or maggots farmed for fishing bait

16.—(1) A person shall not receive or use on any premises any animal by-product for feeding to zoo, circus or fur animals, recognised packs of hounds or maggots farmed for fishing bait, unless the premises and the occupier of the premises are registered by the Department in accordance with this Article.

(2) The Department shall maintain a register of premises used for the feeding of animal by-products to zoo, circus or fur animals, recognised packs of hounds and maggots farmed for fishing bait containing the following information—

- (a) the name of the operator;
- (b) the address of the premises; and
- (c) the business carried on at the premises.

(3) A person shall not accept any animal by-product into premises registered under this Article other than material permitted to be consigned there under Article 5.

(4) The occupier of premises registered under this Article shall ensure that all unused animal by-products and all animal by-products remaining after feeding are disposed of in accordance with Article 5.

Approval of knackers' yards

17.—(1) A person shall not operate a knacker's yard except under and in accordance with the conditions of an approval granted by the Department.

(2) The Department shall grant an approval if it is satisfied that the premises comply with the conditions in Schedule 4 and that they will be maintained and operated in accordance with this Order and the conditions of the approval.

(3) The Department shall not grant an approval for a knacker's yard for the production of feeding stuffs for animals whose flesh is not intended for human consumption unless the premises were used as a knacker's yard for the production of such feeding stuffs on 27th November 1990.

(4) The approval granted under paragraph (1) shall specify—

- (a) the operator of the premises and the address;
- (b) whether or not the knacker's yard is approved to produce feeding stuffs for animals whose flesh is not intended for human consumption, and if it is, the production method; and
- (c) any other conditions which the Department considers necessary to ensure that this Order is complied with.

Operation of knackers' yards and supply of feeding stuffs from knacker's yards

18.—(1) A person holding an approval under Article 17 to operate a knacker's yard shall maintain and operate the premises in accordance with the requirements in Schedule 4 and any additional requirements contained in the approval.

(2) A person shall not accept any animal by-product into a knacker's yard other than material permitted to be consigned there under Article 5.

(3) A person (whether a knacker or any subsequent supplier) shall not supply for use in domestic premises any feeding stuff derived from mammalian high risk material which has been treated in accordance with sub-paragraph (1)(a) or (b) of paragraph 11 of Schedule 4.

Records for animal by-products

19.—(1) A person who removes, or causes or permits to be removed, animal by-products or part-rendered material from any premises shall keep a record of each consignment showing—

- (a) the date on which the material was removed from the premises;
- (b) the quantity and description of the material and whether unrendered or part-rendered;
- (c) the destination to which it was removed; and
- (d) the name of the person transporting it.

(2) A person transporting animal by-products or part-rendered material shall, at the time of collection, record—

- (a) the address of the premises from which the material was collected;
- (b) the date on which the material was collected;
- (c) the quantity and description of the material; and
- (d) the destination to which it is to be taken.

(3) A person receiving animal by-products or part-rendered material shall keep a record of incoming consignments showing—

- (a) the date on which the material arrived;
- (b) the address of the premises from which the material was removed;
- (c) the quantity and description of the material; and
- (d) the name and address of the person who transported it.

(4) In addition to the records required to be kept under paragraph (3), (and in the case of removal from the premises of animal by-products or part-rendered material, in paragraph (1)), the occupier of rendering premises (other than part-rendering premises) shall keep a record for all animal by-products (including part-rendered material) rendered of—

- (a) the weight rendered and the date of rendering;
- (b) the temperature achieved by the by-products;
- (c) in a batch system, the time for which the by-products were rendered;
- (d) if appropriate, the particle size to which the by-products were reduced before rendering;
- (e) if appropriate, the pressure to which the by-products were subjected during rendering;
- (f) if appropriate, the feed rate of the by-products;
- (g) if appropriate, the fat re-cycling rate;
- (h) the quantity and description of rendered material produced;
- (i) the results of all tests on samples submitted to an authorised laboratory in accordance with Article 9 and any action taken under that Article in respect of samples not complying with the microbiological standards specified in Article 2(2); and
- (j) in the case of all rendered material—
 - (i) the method of disposal;
 - (ii) the quantity disposed of;
 - (iii) the date of disposal;
 - (iv) the name of the person transporting it; and
 - (v) the address of the disposal premises.

(5) In addition to the records required to be kept under paragraph (3) (and, in the case of removal from the premises of animal by-products or part-rendered material, paragraph (1)), the occupier of part-rendering premises shall keep a record for all animal by-products part-rendered of—

- (a) the weight part-rendered and the date of part-rendering; and
- (b) the quantity and description of part-rendered material produced.

(6) In addition to the records required to be kept under paragraph (3) (and, in the case of removal from the premises of unused animal by-products and animal by-products remaining after feeding, paragraph (1)), the occupier of any premises registered under Article 16 (zoo animals, etc.) shall keep records of the disposal or use of the animal by-products.

(7) In addition to the records required to be kept under paragraph (3) (and, in the case of removal from the premises of animal by-products, paragraph (1)), the occupier of a knacker's yard shall keep a record of—

- (a) the quantity of material treated in accordance with paragraph 11 of Schedule 4, (treatment of by-products for the production of feeding stuffs) and the date and method of treatment;
- (b) in the case of the sale or supply of mammalian high risk material which has been sterilised or denatured in accordance with paragraph 11(1)(a) or (b) of Schedule 4—
 - (i) the quantity sold or supplied;
 - (ii) the date on which the material was sold or supplied;
 - (iii) the name and address of each person to whom the feeding stuffs were sold or supplied; and
 - (iv) address of the premises where the feeding stuffs are to be used.

Part III

Catering waste intended for feeding to livestock

Scope of Part III

20. The provisions of this Part, other than Article 24, apply to catering waste (other than used cooking oil) whether processed or unprocessed which—

- (a) contains or has been in contact with animal carcasses, parts of animal carcasses (including blood) or products of animal origin (other than milk or milk products, eggs, rennet, gelatine or melted fat which have been incorporated into another product); or
- (b) originates from any premises where any animal carcasses, parts of animal carcasses or products of animal origin (with the exceptions referred to in sub-paragraph (a), are handled or where foodstuffs containing or coming into contact with any of the same are prepared or produced.

Feeding catering waste to livestock

21.—(1) A person shall not feed or cause or permit to be fed to any livestock, or allow any livestock to have access to any catering waste or any feeding stuffs which have been in contact with it.

(2) A person shall not bring catering waste onto any premises where any livestock are kept.

Holding catering waste

22. The owner or person in charge of any premises used for the holding of catering waste shall ensure that such material is held on the premises in such a manner as to prevent the leakage or escape of any effluent and so that no animals or birds can gain access to that material.

Disposal of catering waste

23.—(1) Subject to Article 26, a person shall not dispose of any catering waste in his possession except by one or more of the following methods—

- (a) disposal to a district council refuse collection centre;
- (b) disposal to a refuse disposal agency approved by the Department; or
- (c) disposal on the premises where the catering waste originated.

Transport of catering waste

24.—(1) A person shall not use or cause or permit any vehicle to be used for the removal of catering waste to which this Article applies unless the material is—

- (a) carried in a leak-proof container which is enclosed to prevent any leakage or spillage and which is capable of being cleansed and disinfected; or
- (b) enclosed by impervious material capable of being thoroughly cleansed and disinfected and the vehicle is so constructed as to prevent any leakage or spillage of that material out of the vehicle.

(2) Any vehicle, tarpaulin or other cover and any reusable container used in the transport of catering waste shall be maintained in a clean condition.

(3) A person shall not place or carry any livestock, feedingstuffs intended for feeding to livestock or anything intended to be used for or about any livestock in any vehicle or container which contains catering waste.

Catering waste from a means of transport from outside Northern Ireland

25.—(1) A person shall not feed or cause or permit to be fed to any livestock or allow any livestock to have access to any catering waste brought into Northern Ireland, and originally intended for consumption on the means of transport in which it was brought and to which Article 21 does not apply or any feeding stuffs which have been in contact with such catering waste

(2) Catering waste shall not be landed in Northern Ireland from any vessel, aircraft, hovercraft or road or other vehicle except in leak-proof bags which are immediately placed in a leak-proof container which is closed by a tightly fitting lid or other cover which prevents spillage and both that container and its lid or other cover are capable of being cleansed and disinfected.

(3) A person shall not remove catering waste, or permit it to be removed, from any place where it has been landed except in accordance with a licence issued by the Department.

(4) Subject to paragraph (3), the owner or person in charge of the vessel, aircraft or road or other vehicle from which the catering waste is landed shall, under such supervision as the Department may require, take that catering waste or cause it to be taken in a container, which complies with the requirements of paragraph (2), to the nearest place approved by the Department where it must be incinerated or immediately buried.

(5) Any container, and its lid or other cover, used to transport catering waste in accordance with this Article shall be thoroughly cleansed and disinfected with an approved disinfectant immediately after each such use.

(6) A person shall not discharge or cause or permit to be discharged from an aircraft over Northern Ireland or from an aircraft, vessel or hovercraft within 3 miles of the coast of Northern Ireland any catering waste unless such discharge is required in the interests of the safety of the passengers, crew, animals or birds carried on such aircraft, vessel or hovercraft.

Part IV

General

Notice requiring the disposal of animal by-products or catering waste

26. If any provision of this Order is not being complied with or if an inspector considers it necessary for the prevention of diseases of animals, he may serve a notice on any person in possession of any animal by-products or catering waste requiring him to dispose of it as may be specified in the notice.

Cleansing and disinfection

27.—(1) If an inspector suspects that any vehicle, container, equipment or any premises to which this Order applies constitutes a disease risk he may serve a notice on the owner or person in charge of the vehicle, container or equipment or on the owner or occupier of the premises, requiring the vehicle, container, equipment or premises to be cleansed and disinfected as the inspector considers necessary.

(2) A notice under paragraph (1) may—

- (a) specify the method of cleansing and disinfection;
- (b) specify the method of disposal of any material remaining in or on the vehicle, container, equipment or premises; and
- (c) prohibit the movement of animal by-products or catering waste into the vehicle or container or into the premises until such time as the required cleansing and disinfection have been satisfactorily completed.

Compliance with notices

28. Any notice served under this Order shall be complied with at the expense of the person on whom the notice is served, and if it is not complied with, an inspector may arrange for it to be complied with.

Tampering with samples

29.—(1) A person shall not treat or otherwise tamper with any sample taken under this Order.

(2) For the purposes of this Order a person shall be deemed to have treated a sample if he does anything in relation to it with intent to affect the result of a test to be carried out under this Order.

Keeping of records

30. Any person required to keep a record under this Order shall—

- (a) keep such a record in written or electronic form;
- (b) retain such a record for a period of 2 years; and
- (c) produce such a record to an inspector on demand being made by him at any reasonable time during that period of 2 years and allow him to take a copy or print out of it or an extract from it.

Registrations, approvals, authorisations and licences

31.—(1) Any person wishing to register or to obtain an approval, authorisation or licence under this Order, shall apply in writing therefor to the Department.

(2) Any licence, notice, approval or authorisation under this Order shall be in writing, may be subject to conditions and may be amended, suspended or revoked by notice in writing at any time and in particular may be suspended or revoked if the Department is of the opinion that the provisions of the Order are not being complied with.

Transitional provisions

32. Any laboratory authorised by the Department under Article 3 of the Diseases of Animals (Animal Protein) (No. 2) Order (Northern Ireland) 1989⁽¹¹⁾, or approval or registration under

(11) S.R. 1989 No. 347 as amended by S.R. 1992 No. 62 and S.R.1993 No. 193

Regulations 5 and 7 to 9 of the Animal By-Products Regulations (Northern Ireland) 1993⁽¹²⁾ shall, notwithstanding the revocation of that Order and those Regulations, be deemed to be an authorised laboratory, approved rendering premises or registered premises for the purposes of Articles 7, 10, 15 and 16 respectively.

Revocations

- 33.**—(1) The following Orders are hereby revoked, namely—
- (a) the Diseases of Animals (Animal Protein) (No. 2) Order (Northern Ireland) 1989;
 - (b) the Diseases of Animals (Animal Protein) (No. 2) (Amendment) Order (Northern Ireland) 1992⁽¹³⁾;
 - (c) the Diseases of Animals (Animal Protein) (No. 2) (Amendment) Order (Northern Ireland) 1993⁽¹⁴⁾;
 - (d) the Catering Waste (Feeding to Livestock) Order (Northern Ireland) 2001⁽¹⁵⁾.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 29th May 2002.

L.S.

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

⁽¹²⁾ S.R. 1993 No. 192 as amended by S.R. 1998 No. 108; these Regulations were revoked by S.R. 2002 No. 210
⁽¹³⁾ S.R. 1992 No. 62
⁽¹⁴⁾ S.R. 1993 No. 193
⁽¹⁵⁾ S.R. 2001 No. 286