
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 225

**Transmissible Spongiform Encephalopathy
Regulations (Northern Ireland) 2002**

PART III

ANIMAL FEEDING

Mammalian protein and mammalian meat and bone meal

Mammalian protein

11.—(1) Subject to paragraph (2), a person shall not knowingly—

- (a) sell or supply for feeding to ruminant animals; or
- (b) feed to a ruminant animal,

any feedingstuff in which he knows or has reason to suspect that any mammalian protein has been incorporated.

(2) The prohibitions in paragraph (1) shall not apply to the feeding to an animal of any feedingstuff for research purposes in a research establishment under the authority of a licence issued by the Department and in accordance with any conditions subject to which the licence is issued, or to the sale or supply of any feedingstuff to a research establishment for such purposes.

Mammalian meat and bone meal for use in feedingstuffs for livestock

12.—(1) Subject to paragraphs (5) and (6), a person shall not —

- (a) sell or supply for incorporation into any feedingstuff for livestock any mammalian meat and bone meal;
- (b) use any mammalian meat and bone meal in the production of any feedingstuff for livestock;
- (c) sell or supply for feeding to livestock any feedingstuff in which any mammalian meat and bone meal has been incorporated; or
- (d) feed to livestock any feedingstuff in which any mammalian meat and bone meal has been incorporated.

(2) Subject to paragraph (6), a person shall not undertake any production using any mammalian meat and bone meal or any MBM product on premises where any feedingstuff for livestock is produced.

(3) Subject to paragraphs (5) to (8), a person shall not have in his possession any mammalian meat and bone meal or any MBM product on any premises where —

- (a) any livestock is kept;
- (b) any feedingstuff for livestock is produced; or
- (c) any feedingstuff for livestock is stored but not produced and no livestock are kept.

(4) Subject to paragraphs (6) and (8), a person shall not transport any mammalian meat and bone meal or any MBM product in any vehicle in which any feedingstuff for livestock is being transported.

(5) The prohibitions in paragraphs (1) and (3) shall not apply to the feeding to an animal of any feedingstuff for research purposes in a research establishment under the authority of a licence issued by the Department and in accordance with any conditions subject to which the licence is issued, or to the sale or supply of any feedingstuff to a research establishment for such purposes or to the possession of a feedingstuff at such an establishment for such purposes.

(6) In any proceedings for an offence under paragraphs (1) to (4) it shall be a defence for any person charged to prove –

- (a) that he did not know or have reason to suspect that the material in question was mammalian meat and bone meal or contained mammalian meat and bone meal; and
- (b) that he had taken all reasonable steps to ensure that it was not and did not contain mammalian meat and bone meal.

(7) In any proceedings for an offence under paragraph (3) in relation to any mammalian meat and bone meal or MBM product it shall be a defence for any person charged to prove –

- (a) in the case of an offence under paragraph (3)(a), that the mammalian meat and bone meal or MBM product was in his possession solely for feeding to a pet of a species which is not commonly used as livestock in Northern Ireland or to a working dog or for use as a fertiliser on a domestic garden or for house plants;
- (b) in the case of an offence under paragraph (3)(c), that both the mammalian meat and bone meal or MBM product and the feedingstuff for livestock were offered for sale on those premises;
- (c) that the mammalian meat and bone meal or MBM product was stored and used in a place which was physically separated from any place where feedingstuff for livestock was stored or to which such animals had access; and
- (d) that adequate precautions were taken to ensure that no equipment used with the mammalian meat and bone meal or MBM product was used with the feedingstuff for livestock.

(8) In any proceedings for an offence under paragraph (3) or (4) it shall be a defence for any person charged to prove that, at all material times, both the mammalian meat and bone meal or MBM product (as the case may be) and the feedingstuff for livestock were securely packaged and that no spillage or leakage took place.

(9) A person shall not transport from or to any premises, or store in bulk at any premises, any mammalian meat and bone meal the sale or supply of which is prohibited by paragraph (1)(a), unless he and the premises are registered by the Department for the purpose and the premises are not used for the preparation of feedingstuffs for livestock.

(10) The Department shall register premises under this regulation where the occupier declares the premises are capable of being used in accordance with this Part.

Mammalian meat and bone meal for use in fertilisers on agricultural land

13.—(1) A person shall not sell or have in his possession with a view to sale for use as a fertiliser on agricultural land, any mammalian meat and bone meal or any material derived from or containing any mammalian meat and bone meal to any extent.

(2) A person shall not use on agricultural land as a fertiliser any mammalian meat and bone meal or any material derived from or containing any mammalian meat and bone meal to any extent.

(3) Subject to paragraph (4), a person shall not –

(a) sell or have in his possession with a view to sale for use as a fertiliser on any land other than agricultural land; or

(b) use as a fertiliser on any such land,

any mammalian meat and bone meal or any material derived from or containing any mammalian meat and bone meal unless the mammalian meat and bone meal concerned was manufactured in accordance with paragraph (5).

(4) Nothing in paragraph (3) shall prevent –

(a) the sale for use on any land other than agricultural land;

(b) the possession with a view to such sale; or

(c) the use on any such land,

of any fertiliser consisting solely of mammalian meat and bone meal or derived from or containing mammalian meat and bone meal if that mammalian meat and bone meal was manufactured before 6th July 1998, the date of coming into operation of the Fertilisers (Mammalian Meat and Bone Meal) Regulations (Northern Ireland) 1998⁽¹⁾, and the contract for its purchase by the manufacturer of that fertiliser was made before that date.

(5) A person shall not manufacture mammalian meat and bone meal for use as or in any fertiliser except by a rendering process in which –

(a) the particle size of the raw material prior to processing is reduced so that no particle exceeds the maximum dimension of 50 mm; and

(b) the material is heated to a core temperature of more than 133°C for at least 20 minutes at a pressure of at least 3 bar.

(6) In this regulation –

(a) mammalian meat and bone meal does not include any mammalian meat and bone meal derived solely from blood; and

(b) the references to the mammalian meat and bone meal being “manufactured” are references to the rendering process by which the mammalian meat and bone meal concerned was derived.