
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 225

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

PART III

ANIMAL FEEDING

Processed animal protein

Feeding of processed animal protein to farmed animals

14.—(1) Subject to paragraph (2), a person shall not feed any processed animal protein to a farmed animal.

(2) The prohibition in paragraph (1) shall not apply to –

(a) the feeding to farmed animals other than ruminants of fishmeal –

- (i) produced in Northern Ireland in premises approved under regulation 16, which are used in accordance with the conditions of the approval, and transported and intermediately stored in accordance with the conditions specified in paragraphs 1, 2 and 3 of Schedule 2;
- (ii) produced in another part of the United Kingdom in premises approved by the competent authority of that part in accordance with Annex I to the Commission Decision, which are used in accordance with the conditions of the approval, and transported and intermediately stored in accordance with the conditions specified in that Annex;
- (iii) produced in another member State in premises approved by the competent authority of that member State in accordance with Annex I to the Commission Decision, which are used in accordance with the conditions of the approval, and transported and intermediately stored in accordance with the conditions specified in that Annex; or
- (iv) produced in a third country and which –
 - before being sold or supplied in Northern Ireland, has been analysed in accordance with Commission Directive 98/88/EC(1);
 - is transported directly from the border inspection post in accordance with the conditions specified in paragraphs 4 and 5 of Schedule 2; and
 - is not intermediately stored otherwise than in accordance with the conditions of paragraph 3 of that Schedule;

- (b) the feeding to farmed animals of gelatin derived from non-ruminant animals for coating additives within the meaning of Council Directive [70/524/EEC](#)(2) concerning additives in feedingstuffs;
- (c) the feeding to farmed animals other than ruminants of dicalcium phosphate –
 - (i) produced in Northern Ireland in premises approved and used as specified in regulation 17(1) and (3);
 - (ii) produced in another part of the United Kingdom in premises approved by the competent authority of that part in accordance with the Commission Decision and used in accordance with that approval; or
 - (iii) produced in another member State in premises approved by the competent authority of that member State in accordance with the Commission Decision and used in accordance with that approval;
- (d) the feeding to farmed animals other than ruminants of hydrolysed protein –
 - (i) produced in Northern Ireland in premises approved and used as specified in regulation 17(2) and (3);
 - (ii) produced in another part of the United Kingdom in premises approved by the competent authority of that part in accordance with the Commission Decision and used in accordance with that approval; or
 - (iii) produced in another member State in premises approved by the competent authority of that member State in accordance with the Commission Decision and used in accordance with that approval; or
- (e) the feeding to farmed animals of milk and milk products.

Sale or supply of processed animal protein intended for the feeding of farmed animals

15.—(1) Subject to paragraph (2), a person shall not sell or supply any processed animal protein intended for the feeding of any farmed animal.

- (2) The prohibitions in paragraph (1) shall not apply to the sale or supply of –
 - (a) fishmeal referred to in regulation 14(2)(a) for feeding to farmed animals other than ruminants;
 - (b) gelatin derived from non-ruminant animals for coating additives within the meaning of Council Directive [70/524/EEC](#) concerning additives in feedingstuffs;
 - (c) dicalcium phosphate referred to in regulation 14(2)(c) for feeding to farmed animals other than ruminants;
 - (d) hydrolysed protein referred to in regulation 14(2)(d) for feeding to farmed animals other than ruminants; or
 - (e) milk and milk products.

Production of fishmeal for feeding to farmed animals other than ruminants

16.—(1) A person shall not use any premises for the production of fishmeal for feeding to farmed animals other than ruminants unless –

- (a) the premises are approved for this purpose by the Department under this regulation; and
- (b) fishmeal produced at the premises –

(2) O.J. No. L270, 14.12.1970, p. 1 as last amended by Directive [1999/70/EC](#) (O.J. No. L80, 25.3.1999, p. 20)

- (i) is transported from the premises only in accordance with the conditions specified in paragraphs 1 and 2 of Schedule 2; and
 - (ii) is not intermediately stored otherwise than in accordance with the conditions specified in paragraph 3 of Schedule 2.
- (2) On an application made to it under this regulation for the approval of premises for the production of fishmeal for feeding to farmed animals other than ruminants, the Department shall approve the premises for this purpose if, following an inspection of the premises by an inspector, it is satisfied that –
- (a) the premises will be dedicated only to fishmeal production;
 - (b) the premises are ABPO approved; and
 - (c) the occupier of the premises will be able to maintain and use the premises in accordance with the ABPO approval and ensure that fishmeal is transported from the premises and intermediately stored in accordance with the conditions specified in paragraphs 1, 2 and 3 of Schedule 2.
- (3) The person carrying on any business at premises approved under this regulation shall ensure that –
- (a) the production of fishmeal at the premises is in accordance with the approval and in compliance with the provisions of this regulation subject to which the approval is granted;
 - (b) any person employed by him, and any person invited to the premises, complies with those provisions; and
 - (c) any inspector, and any person acting under the authority of an inspector, is provided with adequate facilities so as to enable him to carry out his functions under these Regulations in relation to the premises and that he is given such reasonable assistance and access to such records (including any records held in electronic form) as he may at any reasonable time require for that purpose.

Production of dicalcium phosphate and hydrolysed protein for feeding to farmed animals other than ruminants

- 17.—(1) A person shall not use any premises for the production of dicalcium phosphate for feeding to farmed animals other than ruminants unless –
- (a) the premises –
 - (i) are approved for this purpose by the Department under this regulation; and
 - (ii) are used for this purpose in accordance with the conditions specified in Schedule 3; and
 - (b) transport of dicalcium phosphate to the premises is in accordance with the conditions specified in paragraph 4 of Schedule 3.
- (2) A person shall not use any premises for the production of hydrolysed protein for feeding to farmed animals other than ruminants unless –
- (a) the premises –
 - (i) are approved for this purpose by the Department under this regulation; and
 - (ii) are used for this purpose in accordance with the conditions specified in Schedule 4; and
 - (b) transport of the hydrolysed protein to the premises is in accordance with the conditions specified in paragraph 3 of Schedule 4.

(3) On an application made to it for the approval of premises for the production of dicalcium phosphate or hydrolysed protein for the feeding to farmed animals other than ruminants, the Department shall approve the premises for the production concerned if, following an inspection of the premises by an inspector, it is satisfied that –

- (a) the premises are ABPO approved;
 - (b) the occupier of the premises will be able to maintain and use the premises in accordance with the ABPO approval;
 - (c) in respect of an application for approval of the premises for production of dicalcium phosphate for the feeding to farmed animals other than ruminants, the occupier of the premises will be able to comply with the conditions specified in Schedule 3; and
 - (d) in respect of an application for approval of the premises for production of hydrolysed protein for the feeding to farmed animals other than ruminants, the occupier of the premises will be able to comply with the conditions specified in Schedule 4.
- (4) The occupier of premises approved under this regulation shall ensure that –
- (a) in respect of the production of dicalcium phosphate at the premises, the production is in accordance with the approval and complies with the provisions of this regulation and Schedule 3 subject to which the approval is granted;
 - (b) in respect of the production of hydrolysed protein at the premises, the production is in accordance with the approval and complies with the provisions of this regulation and Schedule 4 subject to which the approval is granted;
 - (c) any person employed by him, and any person invited to the premises, complies with those provisions; and
 - (d) any inspector, and any person acting under the authority of an inspector, is provided with adequate facilities so as to enable him to carry out his functions under these Regulations in relation to the premises and that he is given such reasonable assistance and access to such records (including any records held in electronic form) as he may at any reasonable time require for that purpose.

Transport and storage of processed animal protein

18.—(1) A person shall not transport from or to any premises, or store in bulk at any premises, any processed animal protein the sale or supply of which is prohibited by regulation 15, 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 ruminant animals.

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

(3) Where a vehicle used for the transport of any dicalcium phosphate or hydrolysed protein for feeding to farmed animals other than ruminants, is subsequently used for the transport of any other product, the person using the vehicle for the transport of such dicalcium phosphate or hydrolysed protein shall ensure the vehicle is thoroughly cleaned before and after the transport of such dicalcium phosphate or hydrolysed protein.