
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 607

**The Meat (Official Controls Charges)
(Scotland) Regulations 2005**

Interpretation

2. In these Regulations—

“accounting period” means a period of less than a year determined by the Agency;

“the Agency” means the Food Standards Agency;

“agreed slaughterhouse staff costs” means, in respect of any slaughterhouse at which poultry or lagomorphs are slaughtered—

(a) the proportion (expressed as a sum of money) of the salaries (including overtime payments and employers' pension contributions and employers' National Insurance contributions) paid to the staff at that slaughterhouse, in respect of an accounting period, which the Agency and the operator of the slaughterhouse agree as being attributable to any such staff assisting with official controls by carrying out certain tasks there during that period under Article 5.6 of Regulation 854/2004; plus

(b) 25% of that sum;

“cutting plant” means an establishment which is used for boning and/or cutting up fresh meat for placing on the market and which—

(a) is approved or conditionally approved under Article 31.2 of Regulation 882/2004; or

(b) (although lacking the approval or conditional approval that it requires under Article 4.3 of Regulation 853/2004) was, on 31st December 2005, licensed as cutting premises under the Fresh Meat (Hygiene and Inspection) Regulations 1995(1) or the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995(2);

“cutting up” has the meaning it bears in Regulation 853/2004 and “cut up” shall be construed accordingly;

“Directive 2004/41”, “Regulation 178/2002”, Regulation 852/2004”, “Regulation 853/2004”, “Regulation 854/2004”, “Regulation 882/2004” and “Regulation 1688/2005” have the meanings respectively given to them in Schedule 1;

“employers' National Insurance contributions” means those social security contributions for which employers are liable under Part I of the Social Security Contributions and Benefits Act 1992(3);

“establishment” has the meaning given to it in Article 2.1(c) of Regulation 852/2004;

“food business operator” has the meaning given to it in Article 3.3 of Regulation 178/2002;

“game-handling establishment” means any establishment in which game and game meat obtained after hunting are prepared for placing on the market and which—

(1) S.I. 1995/539, revoked with effect from 1st January 2006 by S.S.I. 2005/505.

(2) S.I. 1995/540, revoked with effect from 1st January 2006 by S.S.I. 2005/505.

(3) 1992 c. 4.

- (a) is approved or conditionally approved under Article 31.2 of Regulation 882/2004; or
- (b) (although lacking the approval or conditional approval that it requires under Article 4.3 of Regulation 853/2004) was, on 31st December 2005, licensed as a wild game processing facility under the Wild Game (Hygiene and Inspection) Regulations 1995(4);

“game meat” has the meaning that it bears in Regulation 853/2004;

“lagomorph” shall be construed in accordance with the definition of the term “lagomorphs” in point 1.4 of Annex I to Regulation 853/2004;

“meat” has the meaning given to it in point 1.1 of Annex I to Regulation 853/2004;

“official controls” means the controls that the Agency performs under Regulation 854/2004 for the verification of compliance with–

- (a) Articles 3, 4.1(a), 5, 7 and (save insofar as it relates to minced meat and eggs) 8 of Regulation 853/2004; and
- (b) the requirements of the Welfare of Animals (Slaughter or Killing) Regulations 1995(5) insofar as such verification relates to the welfare of animals slaughtered for human consumption in slaughterhouses;

“official controls charge” means the charge calculated in accordance with Schedule 2 to these Regulations and notified in accordance with regulation 3(1), (2) or (3) of these Regulations;

“operator” means a food business operator who is carrying on the business of a slaughterhouse, game-handling establishment or cutting plant or that operator’s duly authorised representative;

“placing on the market” has the meaning given to it in Article 3.8 of Regulation 178/2002;

“poultry” has the meaning given to it in point 1.3 of Annex I to Regulation 853/2004;

“premises” means any slaughterhouse, game-handling establishment or cutting plant;

“slaughterhouse” means an establishment used for slaughtering and dressing animals, the meat of which is intended for human consumption and which–

- (a) is approved or conditionally approved under Article 31.2 of Regulation 882/2004; or
- (b) (although lacking the approval or conditional approval that it requires under Article 4.3 of Regulation 853/2004) was, on 31st December 2005, licensed as a slaughterhouse under the Fresh Meat (Hygiene and Inspection) Regulations 1995 or the Poultry Meat, Farmed Game Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995; and

“verification” means checking, by examination and the provision of objective evidence.

(4) S.I. 1995/2148, revoked with effect from 1st January 2006 by S.S.I. 2005/505.

(5) S.I. 1995/731, amended by S.I. 1999/400 and 1820, S.S.I. 2000/62, 2001/73 and 145, 2002/238 and 255 and 2004/13.