
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 98

**The Meat (Official Controls Charges)
(Scotland) Regulations 2008**

Interpretation

2.—(1) 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 and National Insurance contributions) paid to the staff at that slaughterhouse in respect of an accounting period that the Agency and the operator of the slaughterhouse may 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, operating as licensed 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 that 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”, “Regulation 1688/2005”, “Regulation 2073/2005”, “Regulation 2074/2005”, “Regulation 2075/2005” and “Regulation 2076/2005” have the meanings respectively given to them in Schedule 1;

“domestic ungulates” has the meaning given to it in point 1.2 of Annex I to Regulation 853/2004;

“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;

(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.

- “farmed game” has the meaning given to it in point 1.6 of Annex I to Regulation 853/2004;
- “food business operator” has the meaning given to it in Article 3.3 of Regulation 178/2002;
- “fresh meat” has the meaning given to it in point 1.10 of Annex I to Regulation 853/2004;
- “game” has the meaning that it bears in Regulation 853/2004;
- “game-handling establishment” means any establishment in which game and game meat obtained after hunting are prepared 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, operating as a licensed 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;
- “lagomorphs” has the meaning given to it 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 performed by the Agency under Regulation 854/2004–
- (a) at slaughterhouses, game-handling establishments and cutting plants, for the verification of compliance with the provisions of Regulation 853/2004 in so far as they apply in relation to meat of domestic ungulates, meat from poultry and lagomorphs, meat of farmed game or as the case may be meat of wild game; and
 - (b) at slaughterhouses, for the verification of compliance with the provisions of the Welfare of Animals (Slaughter or Killing) Regulations 1995(5) insofar as they apply in relation to animals slaughtered for human consumption there;
- “official controls charge” means the charge calculated in accordance with Schedule 2 and notified in accordance with regulation 3(1), (2) or (3);
- “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”, except where the context otherwise requires, 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, operating as a licensed slaughterhouse under the Fresh Meat (Hygiene and Inspection) Regulations 1995 or the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995;
- “verification” means checking, by examination and provision of objective evidence; and
- “wild game” has the meaning given to it in point 1.5 of Annex I to Regulation 853/2004.

(2) In these Regulations, any reference to a Community instrument defined in Schedule 1 is a reference to that instrument as amended from time to time.

(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, 2004/13, 2006/536 and 2007/150.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
