
STATUTORY INSTRUMENTS

1992 No. 306

FOOD

The Bovine Offal (Prohibition) (Amendment) Regulations 1992

Made - - - - *19th February 1992*
Laid before Parliament *20th February 1992*
Coming into force - - *12th March 1992*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 4(1), 6(4), 16(1) (a), (b) and (f) and (3), 26(3) and 48(1) of, and paragraph 3(1) of Schedule 1 to, the Food Safety Act 1990⁽¹⁾ and of all other powers enabling them in that behalf, hereby make the following Regulations after consultation in accordance with section 48 of the said Act with such organisations as appear to them to be representative of interests substantially affected by the Regulations:

Title, commencement and extent

1.—(1) These Regulations may be cited as the Bovine Offal (Prohibition) (Amendment) Regulations 1992 and shall come into force on 12th March 1992.

(2) These Regulations apply to England and Wales.

Amendment

2. The Bovine Offal (Prohibition) Regulations 1989⁽²⁾ shall be amended as follows—

(a) in regulation 2(1) (interpretation)—

(i) after the definition of “the Act” there shall be inserted the following definition—

““animal feeding stuffs” includes pet food;”;

(ii) for the definition of “excepted premises” there shall be substituted the following definition—

““excepted premises” means—

(a) a hospital, medical or veterinary school, laboratory or similar institutions for instructional, research or diagnostic purposes; or

(1) 1990 c. 16.

(2) S.I.1989/2061, amended by S.I. 1990/2486.

- (b) premises used for the manufacture of products other than food or animal feeding stuffs and not used for the manufacture of food or animal feeding stuffs;”, and
- (iii) in the definition of “processor” the words from (and including) “and also includes a waste food processor” to the end of that definition shall be omitted;
- (b) for regulation 4 (prohibition on sale) there shall be substituted the following regulation—
 - “4. No person shall—
 - (a) sell for human consumption, or
 - (b) use in the preparation of food for sale for human consumption, any specified bovine offal or any material derived wholly or partly from it.”;
- (c) for paragraph (3) of regulation 5 (requirements as to sterilisation and staining of specified bovine offal in slaughterhouses) there shall be substituted the following paragraph—
 - “(3) The requirement as to sterilisation imposed by paragraph (1) above shall not apply in the case of the brain of a bovine animal contained within its head—
 - (a) where the head is intended to be removed from the slaughterhouse to a specialist boning plant under the authority of a movement permit issued pursuant to regulation 12 for the purpose of the recovery of meat (other than specified bovine offal) from it; or
 - (b) where the head has been stained and is intended to be removed from the slaughterhouse to the premises of a processor or to the premises of a person for preparation or storage before further removal to the premises of a processor under (in each case) the authority of a movement permit issued pursuant to regulation 12.”;
- (d) after regulation 7 there shall be inserted the following regulation—
 - “**Prohibition of the removal of meat from the head of a bovine animal after the brain has been removed**
 - 7A. No person shall remove any meat for human consumption from the head of a bovine animal after the skull has been opened or the brain has been removed from that head.”;
- (e) after regulation 8 there shall be inserted the following regulation—
 - “**Removal of the brain from the head of a bovine animal**
 - 8A. No person shall remove the brain from the head of a bovine animal in a slaughterhouse or specialist boning plant except in an area in the slaughterhouse or specialist boning plant (as the case may be) which is kept free at all times from any food intended for human consumption.”;
- (f) in regulation 9 (prohibition of bringing in of specified bovine offal from Scotland or Northern Ireland)—
 - (i) at the end of paragraph (1)(b) the word “or” shall be omitted, and
 - (ii) at the end of paragraph (1)(c) there shall be inserted the following— “; or
 - (d) in the case of the brain of a bovine animal contained within its head—
 - (i) it is intended to be delivered to a specialist boning plant for the recovery of meat (other than specified bovine offal) from that head and is accompanied to that destination by a consignment note or permit, or

- (ii) the head has been stained and is intended to be delivered to the premises of a processor or to the premises of a person for preparation or storage before removal to the premises of a processor and (in each case) is accompanied to that destination by a consignment note or permit.”; and
- (g) at the end of regulation 11(2) (removal of specified bovine offal) there shall be added the words “or to the premises of a processor or to the premises of a person for preparation or storage before further removal to the premises of a processor.”.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

19th February 1992.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

Signed by authority of the Secretary of State for Health

18th February 1992

Stephen Dorrell
Parliamentary Under Secretary of State for
Health

19th February 1992

David Hunt
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Bovine Offal (Prohibition) Regulations 1989 (“the 1989 Regulations”). The changes of substance made to the 1989 Regulations are the inclusion of—

(1) a new definition of “expected premises” which definition now includes premises used for the manufacture of products other than food and not used for the manufacture of food or animal feeding stuffs and no longer includes the premises of a manufacturing chemist (regulation 2(a)(i));

(2) an amendment of the definition of “processor” so as to exclude a waste food processor (regulation 2(a)(ii));

(3) a prohibition on the removal of any meat for human consumption from the head of a bovine animal after the skull has been opened or the brain has been removed from that head (regulation 2(d));

(4) a prohibition on the removal of the brain from the head of a bovine animal in a slaughterhouse or specialist boning plant except in an area there which is kept free at all times from any food intended for human consumption (regulation 2(e));

(5) an amendment of the prohibition on the bringing in of specified bovine offal from Scotland or Northern Ireland so that it will not apply, in the case of the brain of a bovine animal contained within its head, if it is intended to be delivered to a specialist boning plant for the recovery of meat (other than specified bovine offal) or, where the head has been stained, it is intended to be delivered to the premises of a processor or to the premises of a person for preparation or storage before removal to the premises of a processor and (in each case) is accompanied to that destination by a consignment note or permit (regulation 2(f)); and

(6) a provision permitting the head of a bovine animal from which the brain has not been removed to be moved under a movement permit to the premises of a processor or to the premises of a person for preparation or storage before further removal to the premises of a processor (regulation 2(g)).