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STATUTORY INSTRUMENTS

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**1994 No. 2465**

**FOOD**

**The Animals, Meat and Meat Products  
(Examination for Residues and Maximum  
Residue Limits) (Amendment) Regulations 1994**

<i>Made</i>	- - - -	<i>6th September 1994</i>
		<i>23rd September</i>
<i>Laid before Parliament</i>		<i>1994</i>
<i>Coming into force</i>	- -	<i>14th October 1994</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly in relation to England and Wales, and the Secretary of State for Scotland in relation to Scotland, in exercise of the powers conferred on them by sections 6(4), 16(1) and (3), 17(1) and 48(1) of the Food Safety Act 1990(1) and of all other powers enabling them in that behalf; after consultation in accordance with the said section 48 with such organisations as appear to them to be representative of interests likely to be substantially affected by the Regulations, hereby make the following Regulations:—

**Title, commencement and interpretation**

1.—(1) These Regulations may be cited as the Animals, Meat and Meat Products (Examination for Residues and Maximum Residue Limits) (Amendment) Regulations 1994 and shall come into force on 14th October 1994.

(2) In these Regulations “the principal Regulations” means the Animals, Meat and Meat Products (Examination for Residues and Maximum Residue Limits) Regulations 1991(2).

**Amendments**

2.—(1) The principal Regulations shall be amended in accordance with the following provisions of this regulation and any reference in those provisions to any specified provision shall, unless the context otherwise requires, be taken to be a reference to the provision so specified in the principal Regulations.

(2) In paragraph (1) of regulation 2—

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(1) 1990 c. 16; “the Ministers” is defined in section 4(1).  
(2) S.I.1991/2843, amended by S.I. 1993/990.

- (a) after the definition of “animal test certificate” there shall be inserted the following definition—
- ““Annex IV substance” means a substance specified in Annex IV to the Council Regulation;”;
- (b) for the definition of “approved laboratory” there shall be substituted—
- ““approved laboratory” means—
- (a) a laboratory approved by the appropriate Minister for the purposes of Council Directive 86/469/EEC(3); or
- (b) any laboratory under the direction or control of a public analyst appointed in accordance with section 27 of the Food Safety Act 1990;”;
- (c) after the definition of “carcase” there shall be inserted—
- ““the Council Regulation” means the Regulation specified in Schedule 1;”;
- (d) in the definition of “enforcement authority”, for the numbers “9, 10, 11”, in both places where they occur, there shall be substituted the numbers “13, 14, 15”;
- (e) in the definition of “maximum residue limit”,
- (i) for paragraph (a) there shall be substituted—
- “(a) in respect of any substance specified in the first column of Annex I or Annex III to the Council Regulation, the limit specified in the fourth column opposite the reference to that substance and the applicable animal species specified in the third column, where the substance is contained in the part of the animal specified opposite it in the fifth column or in any meat or meat product derived from that part of the animal;”;
- (ii) immediately after paragraph (b) there shall be inserted—
- “and,
- (c) in respect of each substance specified in column (1) of Schedule 4, the limit specified in column (2) thereof opposite the reference to such substance and the applicable animal species specified in column (5) where such substance is contained in that part of the animal specified in column (3) thereof opposite the reference to such substance or in any meat or meat product derived from that part of the animal;”.
- (3) For paragraph (2) of regulation 2 there shall be substituted the following—
- “For the purpose of ascertaining whether the maximum residue limit has been exceeded for the purposes of these Regulations, the presence of—
- (a) the drug or drug metabolite (or combination thereof) specified in column (4) of Schedule 4 opposite the reference to each substance specified in column (1) of that Schedule shall be taken to indicate the presence of that substance in that part of an animal, or in any meat or meat product derived from that part of an animal, specified in column (3) of that Schedule opposite the reference to that substance and the maximum residue limit specified in column (2) of that Schedule opposite the reference to that substance shall then apply in respect of the presence in such part of an animal, or in any meat or meat product derived from such part of an animal, of any such drug or drug metabolite (or combination thereof) as if it were that substance; and
- (b) the drug or drug metabolite (or combination thereof) specified in the second column of Annex I or III to the Council Regulation opposite the reference to each substance

specified in the first column of those Annexes shall be taken to indicate the presence of that substance in that part of an animal, or in any meat or meat product derived from that part of an animal, specified in the fifth column of such Annex I or III, opposite the reference to that substance and the maximum residue limit specified in the fourth column of such Annex I or III opposite the reference to that substance shall then apply in respect of the presence in such part of an animal, or in any meat or meat product derived from such part of an animal, of any such drug or drug metabolite (or combination thereof) as if it were that substance.”

(4) In paragraph (1) of regulation 4, after the word “below,” there shall be inserted the words “and to regulation 4A below,”.

(5) After regulation 4 there shall be inserted—

**“Prohibition on administration to animals of Annex IV substances.**

**4A.**—(1) Subject to paragraph (2) below, no person shall administer to an animal any Annex IV substance.

(2) Nothing in regulation 4 above or paragraph (1) above shall prohibit giving an animal feeding-stuff containing an Annex IV substance (whether or not it is also an unlicensed substance) where that substance has been incorporated in accordance with Council Directive [70/524/EEC](#)(4) as amended(5) concerning additives in feeding stuffs.”.

(6) In regulation 6, after the words “regulation 18” there shall be inserted “or any Annex IV substance”.

(7) The following sub-paragraph shall be inserted after regulation 8(1)(c)—

“(cc) an Annex IV substance;”.

(8) In regulations 13 and 14(1) after the word “substance”, in the second place where it occurs, there shall be inserted the words “or of an Annex IV substance”.

(9) In paragraph (2) of regulation 15, after the word “substance”, in the second place where it occurs, there shall be inserted the words “or Annex IV substance”.

(10) In paragraph (4) of regulation 15 and in regulation 17(5), after the word “contains” there shall be inserted the words “an Annex IV substance, or”.

(11) The following paragraphs shall be added at the end of regulation 20—

“(4) Subject to paragraph (5) below if an authorised officer directs a person to produce for inspection a record which paragraph (1) or (2) above requires him to keep, he shall comply with the direction.

(5) No direction may be given under paragraph (4) above after the end of the period mentioned in paragraph (3) above.

(6) The requirements under paragraphs (1) and (2) above to keep records in a permanent and legible form are not to be taken to prevent their being kept by means of computer.

(7) Where a record is so kept, the duty under paragraph (3) above to produce it for inspection, is a duty to produce it in a form in which it can be taken away.”.

(12) For Schedule 1 there shall be substituted—

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(4) OJ No. L270, 14.12.70, p.1.

(5) The relevant amendment is Council Directive [84/587/EEC](#) (OJ No. L319, 8.12.84, p.13).

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

## “SCHEDULE 1

Regulations 2(1) and (2)

## THE COUNCIL REGULATION

Official Journal of the Communities: References

Council Regulation (EEC) No. 2377/90 laying down a Community procedure for the maximum residue limits of veterinary medicinal products in foodstuffs of animal origin as amended by—	OJ No. L244, 18.8.90, p.1.
(a) Commission Regulation (EEC) No. 675/92	OJ No. L73, 19.3.92, p.8.
(b) Commission Regulation (EEC) No. 3093/92	OJ No. L311, 28.10.92, p.18.
(c) Commission Regulation (EEC) No. 895/93	OJ No. L93, 17.4.93, p.10.
(d) Council Regulation (EEC) No. 2901/93	OJ No. L264, 23.10.93, p.1.
(e) Commission Regulation (EC) No. 3425/93	OJ No. L312, 5.12.93, p.12.
(f) Commission Regulation (EC) No. 3426/93	OJ No. L312, 15.12.93, p.15.
(g) Commission Regulation (EC) No. 955/94	OJ No. L108, 29.4.94, p.8.
(h) Commission Regulation (EC) No. 1430/94	OJ No. L156, 23.6.94, p.6.”

2.—(13) After Schedule 3 the following Schedule shall be inserted—

## “SCHEDULE 4

Regulations 2(1) and (2)

## MAXIMUM RESIDUE LIMITS

Column 1 Substance	Column 2 Maximum residue limit	Column 3 Part of the animal	Column 4 Indicator residue	Column 5 Animal species
Streptomycin	1,000 µg/kg	Any edible tissues	parent drug(6)	All food producing species
Clenbuterol	0.5 µg/kg	Any edible tissues	parent drug	All food producing species”

(6) “parent drug” is referred to in the Council Regulation, see Annexes I and III.

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

L.S.

5th September 1994.

*William Waldegrave*  
Minister of Agriculture, Fisheries and Food

Signed by authority of the Secretary of State for Health:

1st September 1994

*Cumberlege*  
Parliamentary Under-Secretary of State,  
Department of Health

Signed by authority of the Secretary of State for Wales:

31st August 1994

*Gwilym Jones*  
Parliamentary Under-Secretary of State, Welsh  
Office

6th September 1994

*Fraser of Carmyllie*  
Minister of State, Scottish Office

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

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Animals, Meat and Meat Products (Examination for Residues and Maximum Residue Limits) Regulations 1991. They give effect to the amendments to Annexes I, II, III and IV of the Council Regulation (defined in regulation 2(2)(c)) made by the instruments listed at items (c) to (h) in Schedule 1 substituted by these Regulations.

In addition to making some minor drafting amendments, the Regulations—

- (a) extend the definition of “approved laboratory” to include laboratories under the direction and control of a public analyst appointed in accordance with section 27 of the Food Safety Act 1990 (regulation 2(2)(b));
- (b) amend the definition of “enforcement authority” to enable local authorities to refer samples for reference analysis following a positive primary analysis, but restrict to authorised officers of the Ministers the powers in relation to the inspection of animals and their examination for residues (regulation 2(2)(d));
- (c) replace Schedule 1 to the principal Regulations with a reference to the Council Regulation, as amended, which contain the lists of maximum residue limits, and add a further Schedule containing those maximum residue limits which are to apply in Great Britain (regulation 2(2)(c) and (13));
- (d) amend the definition of “maximum residue limit” so as to make provision for the ascertainment of such limit in relation to the substances specified in Schedule 4, added by these Regulations, and also make provision for ascertaining whether the maximum residue limits of those substances have been exceeded (regulation 2(2)(e) and (3));
- (e) prohibit (with the exception of substances incorporated into feeding stuff in accordance with the provisions of Council Directive [70/524/EEC](#)) the administration to animals of those substances contained in Annex IV to the Council Regulation (regulation 2(2)(a) and (5));
- (f) add Annex IV substances to the lists of categories of substances in regulations 6, 8, 13, 14, 15 and 17, of the principal Regulations (regulation 2(2)(b) to (10));
- (g) require, for a limited period and upon the direction of an authorised officer, the production of the records which are required to be kept by the principal Regulations (regulation 2(11)).