
STATUTORY INSTRUMENTS

1995 No. 613

The Bovine Offal (Prohibition) (Amendment) Regulations 1995

Title and commencement

1. These Regulations may be cited as the Bovine Offal (Prohibition) (Amendment) Regulations 1995 and shall come into force on 1st April 1995.

Amendment

2.—(1) The Bovine Offal (Prohibition) Regulations 1989(1) shall be amended as follows—

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

(i) after the definition of “animal feeding stuffs” there shall be inserted the following definition—

““enforcement authority” is to be construed in accordance with regulation 16 below;”;

(ii) for the definition of “food authority” there shall be substituted the following definition—

““food authority” has the same meaning as in the Act, except that it does not include the council of a non-metropolitan county;”;

(iii) for the definition of “stained” there shall be substituted the following definition—

““stained” means treated with a solution of the colouring agent Patent Blue V (E131, Colour Index No. 42051) at a concentration of 0.5%; and, for the purposes of this definition, “treated” means that the whole surface of the specified bovine offal has been covered with the said solution either by immersing the specified bovine offal in, or spraying or otherwise applying, the solution;”;

(b) in regulation 9 (prohibition of bringing in of specified bovine offal from Scotland or Northern Ireland)—

(i) in paragraph (2) for the words “the food authority in whose district those premises are or that specified bovine offal is located” there shall be substituted the words “the enforcement authority in relation to those premises”;

(ii) for paragraph (3) there shall be substituted the following paragraph—

“On receipt, in accordance with paragraph (2) of this regulation, of any such copy of—

(a) a consignment note, the enforcement authority shall, where it is not the enforcement authority in relation to the premises from where the specified bovine offal has been brought in, notify in writing that other enforcement authority of the arrival of the consignment related to the note;

- (b) a permit, the enforcement authority shall notify in writing the Department of Agriculture for Northern Ireland of the arrival of the consignment related to the permit.”;
- (c) in paragraphs (1)(c) and (2) of regulation 10 (exemption from requirements as to sterilisation and staining of specified bovine offal in slaughterhouses) for the words “of the food authority in whose district the slaughterhouse is situated” there shall be substituted the words “of the enforcement authority”;
- (d) in paragraph (4) of regulation 11 (removal of specified bovine offal)—
 - (i) in sub-paragraph (c) for the words “of the food authority in whose district those relevant premises are situated” there shall be substituted the words “of the enforcement authority”;
 - (ii) in sub-paragraph (d) for the words “of the food authority in whose district those premises are situated” there shall be substituted the words “of the enforcement authority”;
- (e) in regulation 12 (authorisation for removal of unsterilised specified bovine offal from a slaughterhouse or other place)—
 - (i) in paragraph (1) for the words “the food authority in whose district those premises are located and shall give to that authority” there shall be substituted the words “the enforcement authority giving”;
 - (ii) in paragraph (2)—
 - (aa) for the words “an authority” there shall be substituted the words “the enforcement authority”;
 - (bb) for the sentence beginning “If the premises are situated” there shall be substituted the following sentence—

“If the authority which receives the application is not the enforcement authority in relation to the premises to which the specified bovine offal is intended to be delivered, then the authority which receives the application shall notify that other authority that the application has been made, and shall take into account any information obtained from that authority in reaching its decision as to the nature of the premises.”;
 - (iii) in paragraph (3)—
 - (aa) for the words “an authority” there shall be substituted the words “the enforcement authority”;
 - (bb) for the words “in the form” there shall be substituted the words “corresponding in form and content to that”;
 - (iv) in paragraph (4) for the words “the authority in whose district the premises, or as the case may be the specified bovine offal, are or is situated” there shall be substituted the words “the enforcement authority in relation to the premises”;
 - (v) in paragraph (7)—
 - (aa) after the words “The occupier” there shall be inserted the words “of the premises named on the movement permit”;
 - (bb) for the words “the food authority in whose district his premises are situated” there shall be substituted the words “the enforcement authority in relation to those premises”;
 - (vi) in paragraph (9) for the words “either the authority by whom the permit was issued or the authority in whose district the premises are situated” there shall be substituted

- the words “either the enforcement authority by whom the permit was issued or the authority, if different, in relation to the premises named in the movement permit”;
- (vii) in paragraph (11) for the words “the food authority in whose district his premises are situated” there shall be substituted the words “the enforcement authority in relation to his premises”;
- (viii) in paragraph (13) for the words “food authority” there shall be substituted the words “enforcement authority”;
- (f) regulation 15 (penalties and enforcement) shall be amended as follows—
- (i) the words “and enforcement” shall be deleted from the heading;
- (ii) paragraph (2) shall be deleted;
- (g) after regulation 15 there shall be inserted the following regulation—

“Enforcement

16. These Regulations shall be enforced and executed—

- (a) in relation to premises licensed under the Fresh Meat (Hygiene and Inspection) Regulations 1995(2), by the Minister of Agriculture, Fisheries and Food in relation to England and the Secretary of State in relation to Wales;
- (b) in any other case, by each food authority within its area,

and accordingly, in these Regulations “enforcement authority”, in relation to any premises, means the authority that has those responsibilities by virtue of paragraphs (a) and (b) above.”.

(2) For the Schedule to the Bovine Offal (Prohibition) Regulations 1989 there shall be substituted the schedule set out in the Schedule to these Regulations.

28th February 1995

Angela Browning
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

7th March 1995

Cumberlege
Parliamentary Under Secretary of State,
Department of Health

3rd March 1995

Gwilym Jones
Parliamentary Under Secretary of State, Welsh
Office