
STATUTORY INSTRUMENTS

1996 No. 1193

AGRICULTURE

**The Bovine Animals (Enforcement of
Community Purchase Scheme) Regulations 1996**

<i>Made</i>	- - - -	<i>30th April 1996</i>
<i>Laid before Parliament</i>		<i>30th April 1996</i>
<i>Coming into force</i>	- -	<i>1st May 1996</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2), hereby make the following Regulations:—

Title and commencement

1. These Regulations may be cited as The Bovine Animals (Enforcement of Community Purchase Scheme) Regulations 1996 and shall come into force on 1st May 1996.

Interpretation

2. In these Regulations—

“approved operator” means the operator of an incinerator or rendering plant, as the case may be, approved under the Specified Bovine Material (No. 2) Order 1996⁽³⁾;

“the Commission Regulation” means Commission Regulation (EC) No. 716/96⁽⁴⁾, adopting exceptional support measures for the beef market in the United Kingdom;

“licensed operator” means the owner or occupier of a slaughterhouse licensed under the Fresh Meat (Hygiene and Inspection) Regulations 1995⁽⁵⁾;

“the scheme” means the scheme, introduced by the Commission Regulation, for the purchase of bovine animals aged more than 30 months which do not show clinical signs of bovine spongiform encephalopathy and which were, during a period of three months prior to their sale, present on a holding on United Kingdom territory; and

(1) S.I.1972/1811.

(2) 1972 c. 68.

(3) S.I. 1996/1192.

(4) OJ No. L99, 19.4.96, p.14.

(5) S.I. 1995/539, as amended by S.I. 1995/3189.

“specified Community provision” means a provision of the Commission Regulation specified in the Schedule to these Regulations.

Offences

3.—(1) Where there is, in a slaughterhouse, a contravention of, or failure to comply with, any specified Community provision referred to in Part I of the Table in the Schedule to these Regulations, the licensed operator of that slaughterhouse shall be guilty of an offence.

(2) Where there is, at premises housing an incinerator or at a rendering plant, a contravention of, or failure to comply with, any specified Community provision referred to in Part II of the Table in the Schedule to these Regulations, the approved operator of that incinerator or plant shall be guilty of an offence.

Penalties

4. A person guilty of an offence under regulation 3 of these Regulations shall be liable on conviction on indictment to a fine, and on summary conviction to a fine not exceeding level 5 on the standard scale.

Offences by bodies corporate

5.—(1) Where an offence under regulation 3 of these Regulations committed by a body corporate is proved to have been committed with the consent or approval of any director, manager, secretary or other officer of the body corporate, he, as well as the body corporate, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) In paragraph (1) above a reference to a body corporate includes a Scottish partnership and a reference to a director includes a partner in a Scottish partnership.

30th April 1996

Tony Baldry
Minister of State, Ministry of Agriculture,
Fisheries and Food

30th April 1996

Lindsay
Parliamentary Under Secretary of State, Scottish
Office

SCHEDULE

Regulations 2 and 3

SPECIFIED COMMUNITY PROVISIONS

Column 1 <i>Provision of the Commission Regulation</i>	Column 2 <i>Subject matter</i>
PART I APPLICABLE TO LICENSED OPERATORS	
Article 1(2)	Requirement that heads, internal organs and carcasses be permanently stained
Article 1(2)	Requirement that stained material be transported in sealed containers to specially authorised incinerators or rendering plants
Article 1(2)	Prohibition on any part of an animal slaughtered under the scheme entering the human or animal food chains or being used for cosmetic or pharmaceutical products
Article 1(3)	Requirement that no bovine animal intended for human consumption be present in a slaughterhouse when animals are being slaughtered under the scheme
Article 1(3)	Requirement that, where animals to be slaughtered under the scheme need to be lairaged prior to slaughter, they are kept separate from bovine animals intended for human or animal consumption
Article 1(3)	Requirement that, where it is necessary to store products derived from animals slaughtered under the scheme, such products shall be stored separately from any storage facility used for meat or other products intended for human or animal consumption
PART II APPLICABLE TO APPROVED OPERATORS	
Article 1(2)	Requirement that stained material be processed and destroyed
Article 1(2)	Prohibition on any part of an animal slaughtered under the scheme entering the human or animal food chains or being used for cosmetic or pharmaceutical products
Article 1(3)	Requirement that, where it is necessary to store products derived from animals slaughtered under the scheme, such products shall be stored separately from any storage facility used for meat or other products intended for human or animal consumption

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the enforcement of certain of the requirements of Commission Regulation (EC) No. 716/96, adopting exceptional support measures for the beef market in the United Kingdom. The Regulation authorises the United Kingdom to purchase any bovine animal aged over 30 months which does not exhibit any clinical sign of BSE and which was, during a period of at least three months prior to its sale, present on a holding located on United Kingdom territory. Various requirements are specified as to the slaughter, treatment and disposal of animals subject to the scheme.

Regulation 3 creates offences in respect of breaches of the provisions of the Commission Regulation referred to in Column 1 (and described in Column 2) of the Schedule to the Regulations. Penalties are specified for such offences (regulation 4).