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STATUTORY INSTRUMENTS

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**1996 No. 3186**

**AGRICULTURE**

**The Selective Cull (Enforcement of Community  
Compensation Conditions) Regulations 1996**

<i>Made</i>	- - - -	<i>18th December 1996</i>
<i>Laid before Parliament</i>		<i>18th December 1996</i>
<i>Coming into force</i>	- -	<i>24th January 1997</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> 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, commencement and extent**

1.—(1) These Regulations may be cited as the Selective Cull (Enforcement of Community Compensation Conditions) Regulations 1996 and shall come into force on 24th January 1997.

(2) These Regulations extend to Great Britain.

**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. 3) Order 1996<sup>(3)</sup>;

“the Commission Regulation” means Commission Regulation (EC) No. 1484/96<sup>(4)</sup> adopting exceptional support measures for the beef market in the United Kingdom by application of Commission Decision 96/385/EC<sup>(5)</sup>;

“licensed operator” means the owner or occupier of a slaughterhouse licensed under the Fresh Meat (Hygiene and Inspection) Regulations 1995<sup>(6)</sup>;

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(1) S.I.1972/1811.

(2) 1972 c. 68.

(3) S.I. 1996/1941, amended by S.I. 1996/3185.

(4) OJ No. L188, 27.7.96, p.25.

(5) OJ No. L151, 26.6.96, p.39.

(6) S.I. 1995/539, amended by S.I. 1995/3189 and 1996/1148.

“selective cull” means the compulsory slaughter programme introduced under section 32 of the Animal Health Act 1981(7) in accordance with the plan for the control and eradication of bovine spongiform encephalopathy drawn up by the United Kingdom and approved by Commission Decision 96/385/EC; and

“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.

18th December 1996

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

16th December 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>
<b>PART I</b>	
<b>APPLICABLE TO LICENSED OPERATORS</b>	
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 selective cull 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 selective cull
Article 1(3)	Requirement that, where animals to be slaughtered under the selective cull 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 selective cull, such products shall be stored separately from any storage facility used for meat or other products intended for human or animal consumption
<b>PART II</b>	
<b>APPLICABLE TO APPROVED OPERATORS</b>	
Article 1(2)	Requirement that stained material be processed and destroyed
Article 1(2)	Prohibition on any part of an animal slaughtered under the selective cull 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 selective cull, 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.

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## 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. 1484/96 adopting exceptional support measures for the beef market in the United Kingdom by application of Commission Decision 96/385/EC. The Regulation provides for the co-financing by the European Community of the compensation payable to owners of bovine animals slaughtered under the selective cull set out in the BSE eradication plan drawn up by the United Kingdom and approved by Commission Decision 96/385/EC. Various requirements are specified as to the slaughter, treatment and disposal of animals in respect of which compensation is payable.

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).