
STATUTORY INSTRUMENTS

1999 No. 646

The Animal By-Products Order 1999

PART V

GENERAL

Notice requiring the disposal of animal by-products or catering waste

27. If he thinks it necessary for animal health purposes, or if any provision of this Order is not being complied with, an inspector may serve a notice on any person in possession of any animal by-product or catering waste requiring him to dispose of it as may be specified in the notice.

Cleansing and disinfection

28.—(1) If an inspector suspects that any vehicle, container or premises to which this Order applies constitutes a disease risk, he may serve a notice on the person in charge of the vehicle or container, or on the occupier of the premises, requiring the vehicle, container or premises to be cleansed and disinfected.

(2) The notice may—

- (a) specify the method of cleansing and disinfection;
- (b) specify the method of disposal of any material remaining in the vehicle, container or premises; and
- (c) prohibit the movement of animal by-products or catering waste into the vehicle or container or on to the premises until such time as the required cleansing and disinfection has been satisfactorily completed.

Powers of inspectors

29.—(1) An inspector who enters any premises in exercise of his powers under the Animal Health Act 1981 may—

- (a) carry out any inquiries, examinations and tests;
- (b) take any samples; and
- (c) examine and copy any records kept under this Order;

which are necessary to ascertain whether the provisions of this Order have been or are being complied with.

(2) An inspector may, for the purposes of identification, mark any animal or thing in relation to which any of the powers in paragraph (1) above has been exercised.

(3) No person shall, or shall attempt to, deface, obliterate or remove any such mark as is referred to in paragraph (2) above.

(4) The occupier of any premises or any person in his employment shall render such reasonable assistance to an inspector as the inspector may require for the purpose of facilitating the exercise

of his powers under paragraphs (1) and (2) above and in particular shall provide a printout of any records kept in electronic form.

Form of approvals, etc.

30. Any approval, registration or notice under this Order shall be in writing, may be subject to conditions and may be amended, suspended or revoked by notice in writing at any time, and in particular may be suspended or revoked if the appropriate Minister is reasonably of the opinion that the provisions of this Order are not being complied with.

Compliance with notices

31. Any notice served under this Order shall be complied with at the expense of the person on whom the notice is served, and if it is not complied with, an inspector may arrange for it to be complied with at the expense of that person.

Form of records

32. Any record required to be kept under this Order shall be in written or electronic form and shall be kept for at least two years.

Enforcement

- 33.**—(1) This Order shall be enforced by the appropriate Minister in relation to—
- (a) premises which are licensed under the Fresh Meat (Hygiene and Inspection) Regulations 1995(1);
 - (b) premises which are licensed under the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995(2);
 - (c) premises which are licensed under the Wild Game Meat (Hygiene and Inspection) Regulations 1995(3);
 - (d) combined premises as defined in the Meat Products (Hygiene) Regulations 1994(4); and
 - (e) combined premises as defined in the Minced Meat and Meat Preparations (Hygiene) Regulations 1995(5).
- (2) Other than as specified in paragraph (1) this Order shall be enforced by the local authority.

Transitional provisions

34. Any notice, licence, approval, authorisation or registration issued under the provisions of the Animal By-Products Order 1992(6) or the Diseases of Animals (Waste Food) Order 1973(7) shall continue to have effect as if made under the equivalent provision of this Order.

Revocations and consequential amendments

- 35.**—(1) The instruments in Part I of Schedule 6 are revoked.

(1) S.I.1995/539 as amended by S.I. 1995/731, S.I. 1995/1763, S.I. 1995/2200, S.I. 1995/2418, S.I. 1995/3124, S.I. 1995/3189, S.I. 1996/1148, S.I. 1996/2235, S.I. 1997/1729 and S.I. 1997/2074.
(2) S.I. 1995/540 as amended by S.I. 1995/1763, S.I. 1995/2200, S.I. 1995/3205 and S.I. 1997/1729.
(3) S.I. 1995/2148 as amended by S.I. 1995/3205.
(4) S.I. 1994/3082 as amended by S.I. 1995/1763, S.I. 1995/2200, S.I. 1995/3205 and S.I. 1996/1499.
(5) S.I. 1995/3205 as amended by S.I. 1996/3124.
(6) S.I. 1992/3303 as amended by S.I. 1996/827 and S.I. 1997/2894.
(7) S.I. 1973/1936 as amended by S.I. 1987/232 and S.I. 1996/826.

(2) The instrument in Part II of Schedule 6 is amended in accordance with that Part.