
STATUTORY INSTRUMENTS

1999 No. 683

FOOD

The Meat Products (Hygiene) (Amendment) Regulations 1999

<i>Made</i>	- - - -	<i>9th March 1999</i>
<i>Laid before Parliament</i>		<i>10th March 1999</i>
<i>Coming into force</i>		
<i>(a) in the case of all provisions other than regulation 2(10)(c), (g) and (k)</i>		<i>31st March 1999</i>
<i>(b) in the case of regulation 2(10)(c)</i>		<i>30th September 1999</i>
<i>(c) in the case of regulation 2(10)(g) and (k)</i>		<i>31st March 2000</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 that section in so far as these Regulations could not have been made under the powers mentioned below;

And 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 16(1)(b), (c), (d), (e) and (f), 17(1), 26, 45, 48(1) and 49(2) of, and paragraphs 5(1), (2) and (3) and 6(1)(a) of Schedule 1 to, the Food Safety Act 1990⁽³⁾, after consultation in accordance with section 48(4) of that Act 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 and commencement

1. These Regulations may be cited as the Meat Products (Hygiene) (Amendment) Regulations 1999 and shall come into force on—

⁽¹⁾ S.I. 1972/1811.

⁽²⁾ 1972 c. 68.

⁽³⁾ 1990 c. 16. See section 4(1) for a definition of “the Ministers”.

- (a) in the case of all provisions other than regulation 2(10)(c), (g) and (k), 31st March 1999;
- (b) in the case of regulation 2(10)(c), 30th September 1999; and
- (c) in the case of regulation 2(10)(g) and (k), 31st March 2000.

Amendments to the Meat Products (Hygiene) Regulations 1994

2.—(1) The Meat Products (Hygiene) Regulations 1994(4) shall be amended in accordance with the following paragraphs of this regulation.

(2) In paragraph (1) of regulation 2 (interpretation)—

- (a) the definition of “the Bovine Offal Regulations” shall be deleted;
- (b) in the definition of “hermetically sealed container”, after the phrase “micro-organisms” there shall be inserted the words “during and”; and
- (c) the definition of “the Meat Products etc. Regulations” shall be deleted.

(3) In paragraph (5) of regulation 4 (approvals of premises other than ambient stores, rewrapping centres and cold stores), the phrase “the approval authority may issue an approval” shall be replaced by “the approval authority shall issue an approval”.

(4) In paragraph (1) of regulation 10 (health marking), after the word “mark”, there shall be inserted the words “applied in accordance with the provisions of Part VI of Schedule 2”.

(5) At the end of paragraph (3) of regulation 10 there shall be inserted “in each case applied in accordance with the provisions of Part VI of Schedule 2”.

(6) In regulation 14 (prepared food obtained from raw materials of animal origin) the phrase “(other than a meat-based prepared meal)” shall be deleted.

(7) The following text shall be substituted for the existing text of regulation 15 (conditions for premises manufacturing other products of animal origin)—

“No person shall manufacture other products of animal origin unless the premises where the manufacture takes place—

- (a) (in the case of rendered animal fats, greaves and by-products) meet the requirements of Part II of Schedule 5;
- (b) (in the case of stomachs, bladders and intestines) meet the requirements of Part II of Schedule 2 and Part III of Schedule 5; and
- (c) (in all cases) meet the requirements of Schedule 1 and Part I of Schedule 5.”.

(8) Schedule 1 (general conditions) Part I (general conditions for approval of establishments) shall be amended as follows—

(a) paragraph 2(e) shall be replaced by the following—

“(e) adequate ventilation and, where necessary, good steam and water-vapour extraction facilities in order to eliminate as far as possible condensation on surfaces such as walls and ceilings or roof linings;”;

(b) paragraph 8 shall be replaced by the following—

“8. Appropriate facilities for cleaning and disinfecting equipment and utensils: for disinfecting equipment and utensils, water of a temperature of not less than 82°C, or another disinfection method specified in the approval document for the establishment concerned, must be used;”;

(c) paragraph 12 shall be replaced by the following—

(4) S.I. 1994/3082, amended by S.I. 1995/539, S.I. 1995/1763, S.I. 1995/2200, S.I. 1995/3205 and S.I. 1996/1499.

“12. If the volume of products treated requires the frequent or permanent presence of the enforcement authority, an adequately equipped lockable room for its exclusive use: where the enforcement authority is not required to be present at all times, this requirement will be satisfied by the provision of a lockable device of sufficient capacity for storage of equipment and materials;”;

(d) paragraph 15 shall be replaced by the following—

“15. Adequate facilities for cleaning and disinfecting means of transport. However, similar facilities not situated in the establishment may be used with the agreement of the enforcement authority;”;

(e) after paragraph 15, the following paragraph shall be added—

“16. Where the treatment applied requires the absence of water for manufacture of the products, the requirement of paragraph 2(a) that either the flooring be laid in such a way as to facilitate the drainage of water or equipment to remove water be provided, and all the requirements of paragraph 2(g), shall not apply to the part of the establishment in which that treatment takes place, provided that facilities satisfying the requirements of paragraph 2(g) are provided elsewhere in the establishment. Where advantage is taken of this derogation, cleaning and disinfecting processes which do not make use of water may, with the consent of the enforcement authority, be applied in any part of an establishment to which the derogation provided for by this paragraph applies.”.

(9) In Schedule 1 Part IIA (general conditions of hygiene applicable to establishments, equipment and tools)—

(a) the last sentence of paragraph 1 shall be replaced by the following—

“Cleaning and disinfecting must be performed with a frequency and by means of processes which are in line with the obligations set out in regulation 13(1)(a) to (d).”; and

(b) paragraph 5 shall be replaced by the following—

“5. Detergents, disinfectants and similar substances must be used in accordance with the manufacturers' instructions in such a way that they do not have adverse effects on the machinery, equipment, raw materials and products. Use of these substances must be followed by thorough rinsing of such instruments and working equipment with potable water except where the instructions for use of such substances render such rinsing unnecessary.

Products for maintenance and cleaning must be kept in the room or facility provided for in paragraph 14 of Part I of this Schedule.”.

(10) In Schedule 2 (special conditions)—

(a) Part III (requirements for raw materials to be used for the manufacture of meat products) paragraph 4 shall be replaced by the following—

“4.—(1) Products of animal origin, other than meat, shall only be included in meat products if they comply with the requirements applicable to them laid down in the statutory instruments listed in sub-paragraph (2) below.

(2) The Egg Products Regulations 1993(5);

The Dairy Products (Hygiene) Regulations 1995(6);

The Dairy Products (Hygiene) (Scotland) Regulations 1995(7);

(5) S.I. 1993/1520, amended by S.I. 1995/1763 and S.I. 1996/1499.

(6) S.I. 1995/1086, amended by S.I. 1995/1763, S.I. 1996/1499, S.I. 1996/1699 and S.I. 1997/1729.

(7) S.I. 1995/1372 (S. 101), amended by S.I. 1995/1763, S.I. 1996/1499 and S.I. 1996/2465 (S. 194).

The Food Safety (General Food Hygiene) Regulations 1995⁽⁸⁾;
 The Products of Animal Origin (Import and Export) Regulations 1996⁽⁹⁾;
 The Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998⁽¹⁰⁾.”;

(b) the following paragraph shall be added after Part III paragraph 4–

“5. This Part of this Schedule is without prejudice to the Specified Risk Material Regulations 1997⁽¹¹⁾.”;

(c) Part V (wrapping, packaging and labelling) paragraph 6 shall be replaced by the following–

“6. If the product is contained in packaging not intended for the final consumer, the date of preparation of the product, or a code which can be interpreted by the recipient and by the enforcement authority allowing the identification of that date, shall be visibly and legibly displayed on or with the packaging.”;

(d) Part VI (health mark) paragraph 6 shall be replaced by the following–

“6. The health marking of meat products is not necessary–

(a) where those products are wrapped and packaged individually and the health mark is applied to the packaging;

(b) where those products are contained in a sales unit and the health mark is applied to the external surface of that unit;

(c) where–

(i) those products form a consignment intended for further processing or wrapping in an approved establishment,

(ii) the consignment bears the health mark of the approved establishment consigning it in a visible place on the external surface, together with a clear indication of the intended destination, and

(iii) the recipient establishment maintains a record of the quantities, type and origin of meat products received in accordance with this paragraph and keeps that record for the period laid down in regulation 13(1)(d); or

(d) where those products are not wrapped or packaged but are sold in bulk by the manufacturer directly to a retailer, and–

(i) the health mark is applied to the container carrying them in accordance with paragraph 4 of this Part, and

(ii) the manufacturer maintains a record of the quantities and type of the meat products consigned in accordance with this paragraph and of the name of the recipient and keeps that record for the period laid down in regulation 13(1)(d).”;

(e) Part VI paragraph 7 shall be replaced by the following–

“7. The British EC health mark or British National health mark may be applied directly to the product by means specified in the approval document for the establishment concerned or be pre-printed on its wrapping or packaging, or to a label affixed to the product, its wrapping or packaging. Where it is applied to the wrapping, the health mark

⁽⁸⁾ S.I. 1995/1763, amended by S.I. 1995/2148, S.I. 1995/2200, S.I. 1995/3205, S.I. 1996/1699, S.I. 1997/1729 and S.I. 1998/994.

⁽⁹⁾ S.I. 1996/3124, amended by S.I. 1997/3023 and S.I. 1998/994. S.I. 1996/3124 has been applied by S.I. 1996/3125 to imports of fresh meat.

⁽¹⁰⁾ S.I. 1998/994.

⁽¹¹⁾ S.I. 1997/2965, amended by S.I. 1997/3062 and S.I. 1998/2405 (which last mentioned instrument was itself amended by S.I. 1998/2431).

must be applied in such a way that either the health mark or the wrapping to which it is affixed is destroyed when the wrapping is opened.”;

(f) after Part VI paragraph 8, the following paragraph shall be added–

“**9.** Where a meat product contains other foodstuffs of animal origin such as fishery products, dairy products or egg products, only one health mark must be applied.”;

(g) after Part VI paragraph 9, the following paragraph shall be added–

“**10.** In the case of products in hermetically sealed containers, the health mark must be applied indelibly to the container.”;

(h) Part VII (storage and transport) paragraph 1 shall be replaced by the following–

“**1.** Meat products must be stored–

(a) in the rooms provided for in Schedule 2, Part I, paragraph 1(a); or

(b) in any other place in accordance with the following conditions–

(i) meat products which cannot be kept at ambient temperatures may be stored in an approved cold store, and

(ii) meat products which can be kept at ambient temperatures may be stored in stores of solid construction, provided these are easy to clean and disinfect and are approved by the enforcement authority.”;

(i) in Part VII the following paragraph shall be added–

“**4.** Meat products shall be accompanied at the first stage of marketing (which phrase has the same meaning as it does in Council Directive 77/99/EEC on health problems affecting the production and marketing of meat products and certain other products of animal origin, the text of which(12) is annexed to Council Directive 92/5/EEC(13)) by the commercial document referred to in regulation 12(1)(c). For transport and marketing at subsequent stages, the products must be accompanied by a commercial document which bears the official approval code of the consigning establishment and identifying the enforcement authority for that establishment.”;

(j) Part VIII (special conditions for pasteurised or sterilised meat products in cans and other hermetically sealed containers) section B shall be replaced by the following–

“**B.** The occupier of an establishment manufacturing meat products in hermetically sealed containers must also check by sampling–

(a) that a heat treatment is applied to meat products intended for storing at ambient temperature which is capable of destroying or inactivating all pathogenic micro-organisms and their spores. The occupier must keep a record of all relevant manufacturing parameters including (but not limited to) duration of heating, temperature, filling, size of containers. The heat treatment apparatus must be fitted with control devices making it possible to check that containers have undergone effective heat treatment;

(b) that the material used for the containers complies with the requirements of the Materials and Articles in Contact with Food Regulations 1987(14);

(c) the efficacy of the sealing, by means of samples of the daily output taken at pre-determined intervals. Equipment suitable for examining perpendicular sections and seams of the sealed containers shall be provided for this purpose;

(12) OJ No. L57, 2.3.92, p. 4.

(13) OJ No. L57, 2.3.92, p. 1.

(14) S.I. 1987/1523, amended by S.I. 1990/2487, S.I. 1991/1476 and S.I. 1994/979 and by virtue of section 52 of the Criminal Justice Act 1988 (1988 c. 33).

- (d) that–
- (i) sterilised products have undergone effective treatment, by means of–
 - (aa) incubation tests. Incubation must be performed at at least 37°C for seven days or at least 35°C for 10 days, or any other time/temperature combination to which the prior consent of the enforcement authority has been obtained, and
 - (bb) microbiological examination of the contents and the containers in the establishment’s laboratory or in another laboratory acceptable to the enforcement authority, and
 - (ii) pasteurised products in hermetically sealed containers satisfy criteria specified in the approval document for the establishment concerned; and
 - (e) that the cooling water contains a residual level of chlorine after use, unless the enforcement authority is satisfied that the water is potable water.

Any sample taken in compliance with paragraph (d) of this section shall be selected on the basis of a sampling schedule which takes account of the different risks inherent in different products and processes.”; and

- (k) paragraph 2.(a) of Part IX (special conditions for meat-based prepared meals) shall be replaced by the following–
- (a) The meat product to be used in the prepared meal shall, as soon as it has been cooked–
 - (i) be mixed with the other ingredients as soon as practically possible; in that event the time during which the temperature of the meat products is between 10°C and 60°C shall not exceed two hours, or
 - (ii) be refrigerated to 10°C or less before being mixed with the other ingredients;”.

(11) In Schedule 5 (specific hygiene standards for the manufacture of other products of animal origin intended for human consumption)–

- (a) in Part II A (standards applicable to premises collecting or processing raw materials), paragraph 1, the words “paragraph B(c)(ii) and (iii)” shall be replaced by the words “paragraph B(4) and (5)”;
- (b) Part II A, paragraph 2(a), shall be replaced by the following–
 - “(a) a cold store, unless the raw materials are collected and rendered within the time limits laid down in paragraph B(4) and B(5) below;”;
- (c) in Part II A, paragraph 2(k), the words “paragraph B(i)” shall be replaced by the words “paragraph B(11)”;
- (d) in Part II B (additional hygiene requirements relating to the preparation of rendered animal fat, greaves and by-products) paragraph 9, the words “for the production of raw materials” shall be deleted;
- (e) the table in paragraph 10 of Part II B shall be replaced by the following–

	“Bovines Edible Tallow		Tallow for refining	Pigs Edible pig fat		Lard and other pork fat for refining	Other animal fat	
	Premier jus ¹	Other		Lard ²	Other fat		Edible	For refining
FFA (m/m % oleic acid) maximum	0.75	1.25	3.0	0.75	1.25	2.0	1.25	3.0
Peroxide maximum (meq/kg)	4	4	6	4	6	6	4	10
Moisture and impurities	maximum 0.5%							
Odour, taste and colour	normal”;							

1 Rendered animal fat obtained by the low temperature rendering of fresh fat from the heart, caul, kidneys and mesentery of bovine animals, and fat from cutting rooms

2 Melted fat obtained from rendering the adipose tissues of swine

(f) the following text shall be substituted for the existing text of Part III of Schedule 5 (special conditions for stomachs, bladders and intestines)–

“In addition to the conditions in Schedule 1 and Part II of Schedule 2, premises treating stomachs, bladders and intestines shall comply with the following conditions–

1. Raw materials shall come from animals which, following ante-mortem and post-mortem inspection, have been judged suitable for human consumption;

2. Products which cannot be kept at ambient temperature shall be stored until their dispatch in premises intended for that purpose. In particular, products which are not salted or dried shall be kept at a temperature of less than 3°C;

3. Raw materials shall be transported from the slaughterhouse of origin to the establishment under satisfactory hygiene conditions and, where appropriate in the light of the period between slaughter and the collection of the raw materials, refrigerated. Vehicles and containers for transporting such materials shall have smooth internal surfaces that are easy to wash, clean and disinfect. Vehicles for refrigerated transport shall be designed in such a way that the required temperature can be maintained throughout the period of transport;

4. Premises shall be provided for the storage of wrapping and packaging materials;

5. Wrapping and packaging shall take place under hygienic conditions in a room or in a place intended for that purpose;

6. The use of wood shall be forbidden; however, the use of wooden pallets shall be authorised for the transport of the containers of the products concerned.”.

Consequential amendment

3. Schedule 2 to the Products of Animal Origin (Import and Export) Regulations 1996 (Regulations relevant to intra-Community trade) shall be amended by the insertion of the following reference at the end of its paragraph 5–

“The Meat Products (Hygiene) (Amendment) Regulations 1999.”.

8th March 1999

Jeff Rooker
Minister of State, Ministry of Agriculture,
Fisheries and Food

Signed by authority of the Secretary of State for Health

5th March 1999

Tessa Jowell
Minister of State for Public Health

8th March 1999

Sam Galbraith
Parliamentary Under Secretary of State, Scottish
Office

Signed by authority of the Secretary of State for Wales

9th March 1999

Jon Owen Jones
Parliamentary Under Secretary of State, Welsh
Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Meat Products (Hygiene) Regulations 1994 (S.I. [1994/3082](#)) (“the principal Regulations”), as amended. Those Regulations extend to Great Britain only. These Regulations implement Council Directive [95/68/EC](#) (OJ No. L332, 30.12.95, p. 10), which amends Council Directive [77/99/EEC](#) on health problems affecting the production and marketing of meat products and certain other products of animal origin (see OJ No. L57, 2.3.92, p. 4 for the consolidated text of that last-mentioned Directive after amendments made to it by Council Directive [92/5/EEC](#)). These Regulations also amend the principal Regulations to give effect to Article 1(9) of Council Directive [97/76/EC](#) (OJ No. L10, 16.1.98, p. 25). The bulk of the Regulations comes into force on 31st March 1999. Regulation 2(10)(c) will come into force on 30th September 1999 and regulation 2(10)(g) and (k) on 31st March 2000.

Regulation 2 makes technical adjustments to various provisions of the principal Regulations. In particular, the exceptions to the requirement that a health mark be applied to a meat product, set out in Schedule 2 Part VI to the principal Regulations, are recast (*regulation 2(10)(d), (e) and (f)*), as are the hygiene control requirements imposed on manufacturers using hermetically sealed containers (Schedule 2 Part VIII, to the principal Regulations, amended by regulation 2(10)(j) of these Regulations). The temperature requirements applying to the production of meat-based prepared meals are also amended (*regulation 2(10)(k)*). Article 1(9) of Council Directive [97/76/EC](#) substitutes a new Chapter III for the existing Chapter III of Annex C to Council Directive [77/99/EEC](#). The new Chapter III lays down conditions governing the production, placing on the market and import of cleaned, salted or dried and/or heated stomachs, bladders and intestines. That new Chapter is replicated in a revised Part III of Schedule 5 to the principal Regulations, which revision is effected by regulation 2(11)(f) of these Regulations.

Regulation 3 (made under section 2(2) of the European Communities Act 1972 ([1972 c. 68](#))) makes a consequential amendment to the Products of Animal Origin (Import and Export) Regulations 1996 (S.I. [1996/3124](#), as amended).

A regulatory impact assessment for these Regulations has been prepared and placed in the library of each House of Parliament. Copies of it can be obtained from the Meat Hygiene Division of the Ministry of Agriculture, Fisheries and Food, Ergon House, 17 Smith Square, London SW1P 3JR.