

---

STATUTORY INSTRUMENTS

---

**2002 No. 843**

**The TSE (England) Regulations 2002**

**PART VIII**

**COMMUNITY CONTROLS, OFFENCES, PENALTIES AND ENFORCEMENT**

**Community controls: powers of inspectors**

**97.**—(1) An inspector shall, on producing, if required to do so, some duly authenticated document showing his authority, have the right at all reasonable times to enter any premises (excluding premises used only as a dwelling) for any purpose in relation to the checks and assistance referred to in Article 21 of the Community TSE Regulation.

(2) If a justice of the peace, on sworn information in writing, is satisfied that there is reasonable ground for an inspector to enter any premises (excluding premises used only as a dwelling) for any purpose mentioned in paragraph (1) above and either—

- (a) admission to the premises has been refused, or a refusal is expected, and that notice of the intention to apply for a warrant has been given to the occupier; or
- (b) an application for admission, or the giving of such a notice, would defeat the object of the entry, or that the case is one of urgency, or that the premises are unoccupied or the occupier is absent,

he may issue a warrant authorising an inspector to enter the premises for that purpose if need be by reasonable force.

(3) The occupier of premises entered by an inspector under this regulation or by virtue of a warrant issued under it, and his employees and any person on the premises who is or has been in possession or charge of any mammalian meat and bone meal or processed animal protein, any animal or carcass which is or has been on the premises, or any specified risk material which is or has been on the premises, shall—

- (a) provide such reasonable facilities and reasonable assistance to the inspector and comply with such reasonable requirements as the inspector considers necessary for any purpose in relation to the checks and assistance referred to in Article 21 of the Community TSE Regulation; and
- (b) if required by an inspector, give such information as he possesses as to—
  - (i) any mammalian meat and bone meal or processed animal protein, any animal or carcass, or any specified risk material, which is or has been on the premises;
  - (ii) any animal or carcass with which any mammalian meat and bone meal or processed animal protein, any animal or carcass, or any specified risk material, which is or has been on the premises may have come into contact; and
  - (iii) the location, transport and movement of any mammalian meat and bone meal or processed animal protein, any animal or carcass, or any specified risk material, which is or has been in his possession or charge.

- (4) An inspector entering any premises by virtue of this regulation, or of a warrant issued under it may take with him—
- (a) such other persons as he considers necessary to give him such assistance as he considers necessary; and
  - (b) a representative of the European Commission acting for the purpose of the Community TSE Regulation or the Community Transitional Measures; and
- (5) If an inspector enters any unoccupied premises he shall leave them as effectively secured against unauthorised entry as he found them.