
STATUTORY INSTRUMENTS

2003 No. 1482

The Animal By-Products Regulations 2003

PART 4

Approved premises and competent authorities

Laboratories

21.—(1) The Secretary of State shall approve laboratories under this regulation to carry out one or more of the tests in this regulation if she is satisfied that they have the necessary facilities, personnel and operating procedures to do so.

(2) In deciding whether to grant or continue an approval, the Secretary of State may require the laboratory to successfully undertake any quality control tests as she reasonably thinks fit.

(3) The operator of a laboratory approved under this regulation carrying out tests for the purposes of these Regulations or the Community Regulation shall do so in accordance with the following provisions, and failure to do so shall be an offence.

(4) A test for *Clostridium perfringens* shall be carried out in accordance with the method in Schedule 2 or (if specified in the approval) with a method which conforms with ISO 7937/1997 (BS-EN 13401:1999) (Enumeration of *Clostridium perfringens*) or equivalent⁽¹⁾.

(5) A test for Salmonella shall be carried out in accordance with the method in Schedule 2 or (if specified in the approval) with a method that conforms with—

- (a) ISO 6579/2002 (BS-EN 12824:1998) (Detection of Salmonella) or equivalent⁽²⁾; or
- (b) NMKL 71: 1993 or equivalent⁽³⁾.

(6) A test for *Enterobacteriaceae* shall be carried out in accordance with the method in Schedule 2 or (if specified in the approval) with a method which conforms with ISO 7402/1993 (BS 5763: Part 10: 1993) (Enumeration of *Enterobacteriaceae*) or equivalent⁽⁴⁾.

(7) Where tests are carried out for the detection of any of the following, the operator of a laboratory approved under this regulation shall immediately notify the Secretary of State and the operator of the premises if—

- (a) the tests fail to establish that the material is free from *Clostridium perfringens*;
- (b) the tests fail to establish that the material is free from Salmonella; or
- (c) the material successfully passes the test for *Enterobacteriaceae* in paragraph 5 Part III of Schedule 2.

and failure to do so shall be an offence.

(1) Published by the British Standards Institute, British Standards House, 389 Chiswick High Road, London W4 4AL.

(2) Published by the British Standards Institute; see above.

(3) Published by the British Standards Institute; see above.

(4) Published by the British Standards Institute; see above.

(8) The operator of a laboratory approved under this regulation shall in relation to processed material notify the Secretary of State on the last day of each month of the number, type and results of tests carried out, and failure to do so shall be an offence.

(9) Reprocessing in accordance with Article 25(2)(c) and (d) of the Community Regulation shall be carried out under the supervision of the Secretary of State.

(10) If the sample has been sent to the approved laboratory from premises outside England, the requirements in this regulation to notify the Secretary of State shall be construed as a requirement to notify the competent authority for the premises from which the sample was sent.