



# Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962

## 1962 CHAPTER 13

An Act to consolidate with amendments certain enactments relating to the sending of meat, bacon and dead rabbits from Northern Ireland, the licensing of bacon curers and the regulation of the production of pig products and for purposes connected with those matters. [29th March 1962]

### PART I

#### PROVISIONS AS TO SENDING OF MEAT, BACON AND DEAD RABBITS [F1 OUT OF NORTHERN IRELAND]

**F1** 1965 c. 3 (NI)

#### **1 Restriction on sending meat out of Northern Ireland.**

- (1) Except as otherwise provided by this Act, a person shall not send or attempt to send meat [F2 out of Northern Ireland]...<sup>F3</sup> unless he holds a licence granted under section two and the meat—

- (a) <sup>F4</sup> has been inspected by a veterinary inspector or an authorised meat detention officer under the supervision of a veterinary inspector and [<sup>F5</sup> samples of the meat have been subjected to the tests, if any, required by him and the meat has been] found and certified by him to comply with the prescribed requirements; and

*Para. (b) rep. by 1970 c. 20 (NI)*

- (c) [<sup>F6</sup> is meat from animals which have been inspected and slaughtered in, and has been prepared, treated, stored, packed and (where it is processed meat) processed in,] and is sent from premises registered under section three; and

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- (d <sup>F4</sup> is accompanied by a certificate in such form as may be prescribed [<sup>F7</sup> and  
 (e) where it is being sent to another member state of the European Economic Community, complies with the requirements of the rules of the Community on health problems affecting trade in meat between member states of the Community and is sent from premises registered under section 3 (1A) and approved for such trade.]

*Subs. (2) rep. by 1965 c. 3 (NI); 1977 NI 12*

*Subs. (3) rep. by 1977 NI 12*

- (4) The Ministry of Agriculture (in this Act referred to as “the Ministry” ) may by regulations exempt from the provisions of this section tripe, gut and other offals regarded by the Ministry as of a similar nature which have been passed as fit for human consumption by a [<sup>F8</sup> district council] and have been treated and prepared for sending in the manner prescribed by the regulations.

- (5) Any person who sends or attempts to send meat [<sup>F2</sup> out of Northern Ireland] in contravention of this section shall be guilty of an offence under this Act.

- F2** 1965 c. 3 (NI)  
**F3** 1965 c. 3 (NI)  
**F4** 1977 NI 12  
**F5** 1970 c. 20 (NI)  
**F6** 1970 c. 20 (NI)  
**F7** 1977 NI 12  
**F8** SRO (NI) 1973/343

## 2 Licences for sending meat out of Northern Ireland.

- (1) Subject to the provisions of this Act, the Ministry shall have power to grant, revoke and suspend licences (in this Act called “meat shipping licences”) authorising the persons named therein to send meat [<sup>F9</sup> out of Northern Ireland]...
- <sup>F10</sup>(2) The Ministry shall, on application being made in the prescribed manner and on payment of the fee specified in sub-section (3), grant a meat shipping licence upon such conditions as may be prescribed but may refuse to grant a licence to an applicant who formerly held a licence under this section or under section two of the Agricultural Produce (Meat Regulation) Act (Northern Ireland), 1930 , and whose licence has been revoked or the renewal of whose licence the Ministry has refused.
- (3) <sup>F11</sup>The fee for the granting or renewal of a licence under this section shall be one pound but no fee shall be payable by a licensed bacon curer for the granting or renewal of such a licence.

- F9** 1965 c. 3 (NI)  
**F10** 1965 c. 3 (NI)  
**F11** Power to vary or abolish fee, 1968 c. 8 (NI)

## 3 Registration of premises.

- (1) There shall be kept by the Ministry a register of premises (in this Act referred to as “registered premises”) to be used...<sup>F12</sup> for the slaughter of animals meat from which is intended for sending [<sup>F13</sup> to Great Britain or to a country which is not a member state

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of the European Economic Community] [<sup>F14</sup> or for the preparation, treatment, storing, processing, or packing of such meat], and the following provisions shall apply with respect to the registration of such premises:—

- (a) the Ministry may refuse to register or may cancel the registration of any premises where the premises or the equipment therein do not conform to the conditions prescribed by regulations made under section six, or where the standard of hygiene practised in the premises is considered by the Ministry to be unsatisfactory, or where the registration was obtained by fraud or misrepresentation, or where, in relation to the premises, there has been any contravention of this Act or regulations made thereunder, and may cancel the registration at the request of the owner;
- (b) the Ministry may refuse to register any premises if it is not satisfied that the animals, the carcases of which are to be handled therein, will be available for inspection before slaughter and may cancel the registration of any premises if it is satisfied that such animals have not been so available;
- (c) the Ministry before registering any premises not registered at the date of the passing of this Act shall consult the [<sup>F15</sup> district council for the district] in which the premises are situate.

<sup>F16</sup>(1A) There shall be kept by the Department a register of premises (in this Act referred to as “EEC registered premises”) to be used for the slaughter of animals the meat from which is intended for sending to another member state of the European Economic Community or for the preparation, treatment, storing, processing or packing of such meat being premises and equipment which conform to the requirements of the rules of that Community on health problems affecting trade in meat between member states of the Community.]

- (2) [<sup>F13</sup> Registers] kept under this section shall contain such particulars as may be prescribed, and any application for the registration of premises shall be made in the prescribed manner.
- (3) Any premises registered immediately before the passing of this Act under the Agricultural Produce (Meat Regulation) Act (Northern Ireland), 1930 , shall be deemed to be registered under this Act.

**F12** 1970 c. 20 (NI)

**F13** 1977 NI 12

**F14** 1970 c. 20 (NI)

**F15** SRO (NI) 1973/343

**F16** 1977 NI 12

#### **4 Permits for consignments of meat in exceptional cases.**

- (1) The Ministry may, in such exceptional cases and upon such conditions as it thinks fit, grant permits authorising meat of a particular kind and quantity to be sent [<sup>F17</sup> out of Northern Ireland]...<sup>F18</sup> and section one shall not apply to any meat sent under such a permit.
- (2) A person who, being the holder of a permit under this section, sends or attempts to send meat [<sup>F17</sup> out of Northern Ireland] in breach of any condition of his permit shall be guilty of an offence under this Act.

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**F17** 1965 c. 3 (NI)

**F18** 1965 c. 3 (NI)

## 5 Liability of carriers.

Any carrier who accepts or carries any meat which is being, or intended to be, [<sup>F19</sup> out of Northern Ireland]...<sup>F20</sup>, sent and which is not accompanied by the prescribed certificate or prescribed indication as to the sender's identity, or by a permit relating to such meat granted under section four, shall be guilty of an offence under this Act.

**F19** 1965 c. 3 (NI)

**F20** 1965 c. 3 (NI)

## 6 Preparation, carriage, grading, packing and marking of meat.

The Ministry may make regulations under this Act in regard to—

- (a) standards to be required for the structure of premises to be registered under section three and for equipment to be used therein and the maintenance of the premises and the equipment in a sound and hygienic condition;
- (b) the conditions to be observed in connection with [<sup>F21</sup> the inspection and slaughter of animals meat from which is intended for sending out of Northern Ireland and the inspection, preparation, treatment, storing, processing and carriage of such meat]; and
- (c) the [<sup>F22</sup> classification], grading, packing and marking of such meat;

but no such regulation as to marking shall be made so as to interfere with the lawful use by any person of a particular mark or brand for the purposes of his trade or business.

**F21** 1970 c. 20 (NI)

**F22** 1967 c. 21 (NI)

## 7 Provisions as to dead rabbits.

- (1) The Ministry may, in connection with the sending of dead rabbits [<sup>F23</sup> out of Northern Ireland]...<sup>F24</sup>, make regulations under this Act in regard to all or any of the following matters, that is to say:—

- (a) the inspection of consignments of dead rabbits in respect of quality and soundness for food;
- (b) for imposing standards for buildings and equipment and for securing their maintenance in a sound and hygienic condition;
- (c) the manner of storing and packing dead rabbits, including the materials and packages to be used for such packing;
- (d) the cleanliness and sterilisation of such materials and packages;
- (e) the limit of weight of any one package of dead rabbits;
- (f) the marking of such packages so as to indicate compliance with any such regulations.

- (2) All dead rabbits sent [<sup>F23</sup> out of Northern Ireland]...<sup>F24</sup> shall be packed and marked in accordance with regulations made under this section but no such regulation as to the

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marking of packages shall be made so as to interfere with the lawful use by any person of a particular mark or brand for the purposes of his trade or business.

- (3) There shall be payable to the Ministry, in respect of the inspection of dead rabbits in accordance with regulations made under sub-section (1), such fees as may be prescribed by the Ministry with the approval of the Ministry of Finance and such fees shall be payable by such persons and at such times as may be so prescribed.
- (4) Every person who sends, or attempts to send, [<sup>F23</sup> out of Northern Ireland]...<sup>F24</sup> any dead rabbits in contravention of regulations made under this section shall be guilty of an offence under this Act.
- (5) If any regulation is made as to the marking of packages under paragraph (f) of sub-section (1), then any carrier who accepts or carries any dead rabbits to which such regulation applies, which are being or intended to be sent [<sup>F23</sup> out of Northern Ireland] ...<sup>F24</sup> and which are not marked in accordance with that regulation, shall be guilty of an offence under this Act.

**F23** 1965 c. 3 (NI)

**F24** 1965 c. 3 (NI)

## 8 Seizure and detention of consignments.

- (1) A member of the Royal Ulster Constabulary, or an authorised officer, shall have power to seize and detain in custody any consignment of meat which is being sent, or which he has reason to suspect is being sent, [<sup>F25</sup> out of Northern Ireland]...<sup>F26</sup> in contravention of any provision of this Act or regulations made thereunder, or in breach of any condition of a licence or permit granted under this Act.
- (2) Where any person detains any meat in his custody under this section, he shall, as soon as conveniently may be, take such steps as may be proper to have the person believed to be guilty of the offence committed, or believed to have been committed, in relation to such meat dealt with according to law.
- (3) Where any person detains any meat in his custody under this section and the meat becomes or is likely to become unfit for human consumption before the matter can be conveniently dealt with by any court, such person shall produce the meat to a justice of the peace who, if he is of opinion that the meat ought to be destroyed or otherwise disposed of, shall give to the person producing the meat a certificate in writing describing the same and authorising such person to destroy or otherwise dispose of the meat and such certificate shall be conclusive evidence in every court of such matters of fact as are stated therein.
- (4) A person given a certificate under sub-section (3) shall destroy or otherwise dispose of the meat as authorised by the certificate and where the certificate authorises a sale of the meat shall, subject to sub-section (5), pay the proceeds, less any expenses incurred by the Ministry or a member of the Royal Ulster Constabulary in connection with the seizure, detention or sale, to the consignor.
- (5) Where an offence in connection with meat seized and detained under this section has been proved to have been committed, the meat or, where the meat has been sold under sub-section (4), the proceeds of its sale shall be disposed of or dealt with in such manner as the Ministry may direct.

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- (6) Subject to sub-section (5), where a person in respect of whose alleged offence meat has been seized and detained under this section has been dealt with according to law, the meat seized and detained shall, if not destroyed or otherwise disposed of under sub-section (4), be released and delivered to the consignor at the place of detention or, if the consignor fails to take delivery at such place, shall be sold and the proceeds, less any expenses incurred by the Ministry or a member of the Royal Ulster Constabulary in connection with such seizure, detention or sale, shall be paid to the consignor.
- (7) Where any meat has been detained, destroyed or otherwise disposed of under this section, and the Ministry is satisfied that the person detaining, destroying or disposing of the same had no reasonable grounds for believing that an offence under this Act was committed in relation to such meat, and no such offence has been proved to have been committed, then the Ministry shall pay such compensation to the consignor, for loss or damage sustained by him by reason of the detention, destruction or disposal of such meat, as the Ministry may think just.
- (8) A person aggrieved by the refusal of the Ministry to pay compensation, or by the amount of compensation offered by the Ministry, under sub-section (7) may appeal to the county court and that court may make an order for the payment by the Ministry of such compensation as the court thinks just and the Ministry shall comply with the terms of any such order.
- (9) This section shall apply to dead rabbits in like manner as it applies to meat.

**F25** 1965 c. 3 (NI)

**F26** 1965 c. 3 (NI)

## 9 Application of this Part.

- (1) The provisions of this Part shall not apply to—
  - (a) meat as respects which the Ministry or an authorised officer is satisfied that it is not the produce of Northern Ireland and which is not unpacked in Northern Ireland before being sent [<sup>F27</sup> out of Northern Ireland], but so that the package bears no mark or other indication calculated to lead to the belief that the meat is the produce of Northern Ireland;

*Para. (b) rep. by 1977 NI 12*

- (c) small consignments of meat not exceeding such weight as the Ministry may prescribe for particular classes of meat.

- (2) Sub-section (1) shall apply to dead rabbits in like manner as it applies to meat.

*Subs. (3) rep. by 1984 NI 2*

**F27** 1965 c. 3 (NI)

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## PART II

### PROVISIONS AS TO LICENSING OF BACON CURERS AND REGULATION OF PRODUCTION OF PIG PRODUCTS

#### 10 Restriction on carrying on business of curing bacon.

- (1) A person shall not carry on the business of curing bacon unless he holds a licence (in this Act called “a curing licence”) for that purpose granted under this section, and any person who carries on or attempts to carry on the said business in contravention of the provisions of this section shall be guilty of an offence under this Act.
- (2) Subject to the provisions of this Act, the Ministry shall have power to grant, revoke and suspend curing licences authorising the persons named therein to carry on the business of curing bacon.
- (3) The Ministry shall, on application being made in the prescribed manner, and on payment of the fee specified in sub-section (4), grant to any person, upon such conditions as may be prescribed, a curing licence for the purpose aforesaid but may refuse to grant a curing licence to an applicant—
  - (a) who was formerly licensed under this section or under section four of the Agricultural Produce (Meat Regulation) Act (Northern Ireland), 1930 , but whose licence has been revoked or the renewal of whose licence the Ministry has refused; or
  - (b) where the Ministry is not satisfied that, regard being had to the supply of pigs available or likely to become available and to the facilities already existing and to the facilities at that time planned with the Ministry's approval to be provided for the curing of bacon, any additional facilities for such curing are needed.
- (4) <sup>F28</sup> The fee for the granting or renewal of a licence under this section shall be a sum of ten pounds payable upon the granting or renewal of the licence.
- (5) The Ministry may refuse to renew a curing licence where it is satisfied that the holder thereof has not, at any time during the two years preceding the date of the application for the renewal, carried on the business of curing bacon.

**F28** Power to vary or abolish fee, 1968 c. 8 (NI)

#### 11 Power of Ministry to regulate production of pig products.

- (1) Subject to the provisions of this section, the Ministry shall have power to regulate the production of pig products by determining from time to time the number of pigs of such description as the Ministry shall determine which may be used by a licensed bacon curer or other producer of pig products for the purposes of his business as such bacon curer or producer and a determination so made in relation to a licensed bacon curer shall be deemed to be a condition applying to any licence for the time being held by him.
- (2) Where a bacon curer was a licensed bacon curer on the first day of November, nineteen hundred and thirty-four, the minimum number of pigs which the Ministry may determine under sub-section (1) for use by him during any period shall be—



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- (a) the number of pigs used by him in the corresponding period of the twelve months immediately preceding that date; or
  - (b) where he has, in the corresponding period of the twelve months immediately preceding the date of the determination under sub-section (1), used a lesser number of pigs than that specified in paragraph ( a ), such lesser number;
- but where such bacon curer's method of cure has to any extent changed since the said first day of November, the said minimum number of pigs may be reduced to such number as the Ministry, having regard to the extent to which the method of cure has so changed, may determine.
- (3) Before fixing or altering the basis on which a determination is made under sub-section (1), the Ministry shall consult such body or bodies of persons as appear to the Ministry to represent licensed bacon curers and shall, where it considers it necessary, consult representatives of any other persons who appear to the Ministry to be directly affected by the determination.
  - (4) If a licensed bacon curer or other producer of pig products fails to observe any prescribed requirement as to the production of pig products the Ministry may revoke in whole or in part a determination under sub-section (1) of the number of pigs which may be used by that bacon curer or producer.
  - (5) The Ministry may exempt from the provisions of this section producers of pig products who, for the purposes of their business as such producers, use less than a specified number of whole pigs of such description as is determined by the Ministry under sub-section (1).
  - (6) Any person who acts in contravention of a determination in force under sub-section (1) shall be guilty of an offence under this Act.

## **12 Regulations as to production, etc., of pig products and marking of consignments.**

- (1) The Ministry may for the purposes of making more efficient the production, curing, processing, manufacturing, marketing and distribution of pig products and of improving their quality make such regulations as appear to the Ministry to be necessary:—
  - (a) for imposing requirements as to the manner in which and the conditions under which pigs are collected, handled, driven, transported, penned and weighed;
  - (b) for requiring the inspection of pigs before and after slaughter;
  - (c) for imposing standards for buildings and equipment and for securing their maintenance in a sound and hygienic condition;
  - (d) for securing proper standards for the slaughtering, dressing, chilling and butchering of pigs;
  - (e) for securing that the processing, manufacture and storage of such pig products as are specified in the regulations are carried out in a hygienic manner;
  - (f) for imposing requirements as to the method by which bacon is cured and smoked and as to the quality and grading of bacon;
  - (g) for imposing requirements as to the manner in which pigs, bacon and pig products or any description thereof are to be graded, marked, packed, stored, adapted for sale or transported.
- (2) Regulations made under paragraph ( g ) shall not be made so as to interfere with the lawful use by any person of a particular mark or brand for the purposes of his trade or business.



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- (3) Before making any regulations under sub-section (1) the Ministry shall consult such body or bodies of persons as appear to the Ministry to represent licensed bacon curers and shall, where it considers it necessary, consult representatives of any other persons who appear to the Ministry to be directly affected by such regulations.
- (4) All consignments of bacon or pig products produced in Northern Ireland shall be clearly marked so as to indicate the identity of the curer or producer.

## PART III

### MISCELLANEOUS AND GENERAL

#### 13 General provisions as to licences, permits and registration of premises.

- (1) A licence granted under this Act shall be in the prescribed form and shall, unless revoked, suspended or surrendered, remain in force for a period of twelve months from the date on which it is granted but shall be renewable annually, and the same provisions shall apply to the renewal of the licence as apply to the original granting thereof.
- (2) <sup>F29</sup> A certified copy of a licence may be issued upon payment of a fee of [<sup>F30</sup> 13p].
- (3) A licence or permit granted under this Act may be revoked or suspended by the Ministry by reason of the non-compliance of the holder of the licence or permit with any of the provisions of this Act or regulations made thereunder or with any condition subject to which the licence or permit was granted.
- (4) Where the Ministry revokes, suspends or refuses to renew a licence granted under [<sup>F31</sup> sub-section (1) of] section two or section ten or cancels the registration of any premises under section three—
  - (a) the Ministry shall by registered post or by post by means of the recorded delivery service send notice of the revocation, suspension, refusal or cancellation to the holder of the licence or, as the case may be, the person in whose name the premises are registered and such notice shall inform that person of his right of appeal under paragraph ( b) and of the time within which the appeal may be brought;
  - (b) the holder of the licence or, as the case may be, the person in whose name the premises are registered may, within twenty-eight days from the date on which a notice under paragraph ( a) is received by him, appeal against such decision to the county court for the division in which are situated the premises where the business authorised by the licence was carried on or the premises the registration of which has been cancelled;
  - (c) the licence notwithstanding the revocation, suspension or refusal to renew or, as the case may be, the registration, notwithstanding its cancellation, shall continue in force until the expiration of the time within which an appeal may be brought under paragraph ( b), or where such an appeal is brought, until the determination of the appeal;
  - (d) the decision of a county court on an appeal brought under paragraph ( b) shall be final.
- <sup>F32</sup>(5) Where premises registered under section 3(1A) fail to comply with the requirements of the rules of the European Economic Community on health problems affecting trade

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in meat between Member States of the Community, such premises shall be removed from the register.]

**F29** Power to vary or abolish fee, 1968 c. 8 (NI)

**F30** 1969 c. 19

**F31** 1977 NI 12

**F32** 1977 NI 12

#### [<sup>F33</sup> 14 Inspection of meat.

- (1) The Department shall make such arrangement as it thinks fit for the inspection of animals and meat on registered premises and shall publish details of any arrangements so made in such manner as it thinks appropriate for informing persons affected by those arrangements.

[ Fees fixed in accordance with subsection (3) shall be payable to the Department by  
<sup>F34</sup>(2) the person operating registered premises for the inspection on those premises of—

- (a) processed meat; and
- (b) other meat which has been subject to any preservation process other than chilling or freezing.]

- (3) The fees payable under subsection (2) shall be of such amount or at such rate as the Department may from time to time determine and notify to persons operating registered premises.

[ Every person who holds a curing licence shall pay to the Department such fees as the  
<sup>F34</sup>(4) Department may from time to time determine for the inspection of—

- (a) processed carcasses of pigs;
- (b) processed pig products; and
- (c) carcasses of pigs and pig products (other than processed carcasses and products) which have been subject to any preservation process other than chilling or freezing.]]

**F33** 1984 NI 2

**F34** SR 1991/6

#### 15 Records and returns.

- (1) Every holder of a meat shipping licence shall keep such records and furnish such returns and other information as may be prescribed in relation to meat sent by him [<sup>F35</sup> out of Northern Ireland]...

<sup>F36</sup>(2) Every licensed bacon curer and every other producer of pig products shall keep such records and furnish such returns and other information as may be prescribed, in relation to—

- (a) his purchases and sales of pigs; and
- (b) his production and sales of pig products;

and shall permit such records to be inspected and extracts to be taken therefrom by an authorised officer.

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- (3) If the holder of a meat shipping licence or a licensed bacon curer or other producer of pig products wilfully makes default in complying with this section, he shall be guilty of an offence under this Act.
- (4) An individual return or part of a return furnished in pursuance of this section shall not be disclosed without the authority of the person by whom the return was made, except—
  - (a) in so far as the disclosure is required for the purposes of a prosecution or other legal proceedings under this Act; or
  - (b) in so far as the disclosure is required or authorised by this Act or regulations made thereunder; [<sup>F37</sup> or
  - (c) to a Department of the Government of Northern Ireland or of the United Kingdom.]
- (5) Any person who, in contravention of this section, discloses any information obtained by him in the exercise of any power conferred on him or on the Ministry by or under this Act shall be guilty of an offence under this Act.

**F35** 1965 c. 3 (NI)

**F36** 1965 c. 3 (NI)

**F37** 1977 NI 12

## 16 Power of entry, inspection, etc.

- (1) An authorised officer shall for the purposes of this Act have power—
  - (a) to enter, at all reasonable times, any premises registered under this Act, or in respect of which an application for registration under this Act has been made, or premises owned, occupied or used or which that officer has reason to believe are owned, occupied or used by any person...<sup>F38</sup> for the slaughter of animals meat from which is, intended for sending [<sup>F39</sup> out of Northern Ireland] [<sup>F40</sup> or the preparation, treatment, storing, processing or packing of such meat] ...<sup>F41</sup>; and
  - (b) to enter at all reasonable times any premises owned, occupied or used by a licensed bacon curer for the purposes of his business as a bacon curer and any premises owned, occupied or used or which that officer has reason to believe are owned, occupied or used by any person for producing, curing, processing, manufacturing, marketing or distributing pig products; and
  - (c) to inspect any animals, meat or pig products ([<sup>F42</sup> and any] materials used in [<sup>F40</sup> connection with the processing of meat or] the production of pig products) [<sup>F40</sup>, or any equipment,] found on any premises entered under paragraph ( a ) or paragraph ( b ), to take without payment, for the purpose of inspection, and to inspect [<sup>F40</sup> or cause to be inspected or tested], reasonable samples of such meat or pig products [<sup>F40</sup> or materials] and to grade or weigh any animals, meat or pig products so found; and
  - (d) to enter, at all reasonable times, the premises of any person engaged in the business of carrying goods for reward, any pier, quay, wharf, jetty, dock, dock premises or airport and any ship, boat, railway wagon, aircraft, motor lorry, cart or other vessel, vehicle or container used for the conveyance of goods and to inspect and to retain, remove or open for the purpose of inspection any packages or consignments found therein which contain, or which that officer has reason to suspect contain, meat or pig products.

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- (2) Where any package or consignment is inspected by an authorised officer under paragraph (d) of sub-section (1), the package or consignment shall be marked or labelled by the officer to that effect and such mark or label shall be deemed to be a sufficient notification to the consignor and consignee that the package or consignment has been so inspected.
- (3) Where an inspection under paragraph (d) of sub-section (1) is made whilst the package or consignment is in transit and the Ministry or an authorised officer is satisfied that it does not conform to the requirements of this Act or regulations made thereunder, the Ministry or the officer may direct that the package or consignment shall be returned to the consignor at the place from which it was consigned or, if the Ministry or officer approves, at such place as the consignor may elect and thereupon the carrier or the consignor, as the case may require, shall, at the expense of the consignor, proceed to execute such direction with all reasonable speed.
- (4) An authorised officer acting, in the exercise of the powers conferred by this section, on the premises of, or used by, any carrier shall conform to such reasonable requirements of such carrier as are necessary to prevent the working of the traffic thereat being obstructed or interfered with and a carrier shall not be liable for or on account of any loss or damage arising from the exercise by an authorised officer of the powers conferred by this section.
- (5) Nothing in this section shall be construed as authorising anything to be done to the prejudice of any powers of a carrier to secure payment of freight charges in respect of any consignment carried by him.

**F38** 1970 c. 20 (NI)  
**F39** 1965 c. 3 (NI)  
**F40** 1970 c. 20 (NI)  
**F41** 1965 c. 3 (NI)  
**F42** 1970 c. 20 (NI)

## 17 Disposal of meat or pig products unfit for human consumption.

- (1) Any meat or pig product inspected by, or under the supervision of, a veterinary inspector under the provisions of this Act or regulations made thereunder and found and certified by such inspector to be unfit for human consumption—
  - (a) shall, in accordance with the directions of the veterinary inspector and on the premises where it has been inspected, be sterilised or otherwise so treated by the owner or person in charge thereof as to prevent it being used for human consumption; or
  - (b) shall, under and in accordance with the terms of a movement permit granted by the Ministry, be sent by the owner or person in charge of the premises on which it is found to such premises as may be indicated in the movement permit to be there sterilised or otherwise so treated as to prevent it being used for human consumption; or
  - (c) if so required by the [<sup>F43</sup> district council] for the district within which the meat or pig product has been inspected, shall be surrendered by the owner or person in charge of the premises on which it is found to that [<sup>F43</sup> district council] to be sterilised or otherwise so dealt with as to prevent it being used for human consumption; or

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- (d) may, if a permit is granted under section four in respect of the meat or pig product, be sent [<sup>F44</sup> out of Northern Ireland] in accordance with the terms and conditions of that permit.
- (2) Where the owner or person in charge as aforesaid fails to comply with the provisions of sub-section (1), the veterinary inspector may, either on the premises where it is found or otherwise, cause the meat or pig product to be sterilised or otherwise so treated as to prevent it being used for human consumption and any expenses incurred by the inspector in so doing may be recovered by the Ministry as a civil debt due to the Crown from such owner or person in charge.
- (3) Any person who acts in contravention of the provisions of this section shall be guilty of an offence under this Act.

**F43** SRO (NI) 1973/343

**F44** 1965 c. 3 (NI)

## 18 Offences and prosecutions.

- (1) Any person guilty of an offence under this Act for which no special penalty is provided shall be liable on summary conviction<sup>F45</sup> . . . to a fine not exceeding [<sup>F45</sup> level 5 on the standard scale] or imprisonment for a term not exceeding three months or to both such fine and such imprisonment.
- (2) Any person who obstructs or impedes an authorised officer or member of the Royal Ulster Constabulary in the exercise of any powers conferred on him by or under this Act shall be liable on summary conviction to a fine not exceeding [<sup>F45</sup> level 2 on the standard scale].
- (3) If any authorised officer discloses any information obtained by him in the exercise of his powers under this Act, except to persons acting in the execution of this Act, he shall be liable on summary conviction to a fine not exceeding [<sup>F45</sup> level 3 on the standard scale].
- (4) Any person who—
  - (a) in connection with an application for the issue of a licence or permit under this Act makes any statement or furnishes any information which to his knowledge is in any material respect false or misleading; or
  - (b) fraudulently alters or uses or causes to be used or permits to be fraudulently altered or used any licence, permit or other document issued or mark or indication prescribed under this Act; or
  - (c) makes any false or fraudulent statement in any record kept by him or return made by him under or by virtue of this Act;

shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds or to both such imprisonment and such fine.

- (5) A prosecution for an offence under this Act shall not be instituted except by or with the consent of the Attorney-General or the Ministry, except—
  - (a) a prosecution for an offence committed by an officer of the Ministry; or
  - (b) a prosecution which is required to be taken under the provisions of this Act with respect to the seizure and detention of consignments.

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**F45** 1984 NI 3

## 19 Savings.

The provisions of this Act shall be, and the powers conferred by or under this Act shall be and be exercised, without prejudice to the provisions of, and to the exercise of the powers conferred by or under, the<sup>F46</sup> Food Safety (Northern Ireland) Order 1991].

**F46** 1991 NI 7

## 20 Regulations.

- (1) The Ministry may make regulations prescribing anything which under this Act is to or may be prescribed and anything necessary or expedient for giving full effect to the provisions of this Act.
- (2) Regulations made under this Act shall, so far as they relate to matters which may be dealt with by regulations made under the<sup>F47</sup> Food Safety (Northern Ireland) Order 1991], be made with the concurrence of the Ministry of Health and Local Government<sup>F48</sup>.
- (3) All regulations made under this Act other than regulations under sub-section (3) of section nine shall be subject to negative resolution.

**F47** 1991 NI 7

**F48** Now D/HSS, SRO (NI) 1964/205

## 21 Financial provisions.

...<sup>F49</sup> all sums received by the Ministry under this Act shall be paid into the Exchequer.

**F49** SLR 1976

## 22 Interpretation.

In this Act the expression—

“animals” means cattle, pigs, sheep, goats and horses;

“authorised” and “recognised” mean, respectively, authorised and recognised by the Ministry;

“bacon” means bacon produced from pigs killed and cured, or from carcasses of pigs cured, in Northern Ireland, and includes any part of a pig (including chaps, and hams) which is in any manner cured (with the exception of heads, without chaps, and of feet, tails and offal) by such salting, pickling, processing or preserving for any period as will in any way alter the character of the meat;

“carrier” means any person carrying goods for hire or reward;

“container” means a covered receptacle used for the transport of meat or pig products;

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“curing licence” has the meaning assigned to that expression by sub-section (1) of section ten;

[<sup>F50</sup> “district council” includes an officer authorised by a district council to discharge the functions of the council under this Act];

“grade” means a designation indicating quality;

*Definition rep. by SRO (NI) 1973/343*

“inspector” means an inspector appointed or recognised by the Ministry;

“licensed bacon curer” means the holder of a curing licence under section ten;

[<sup>F51</sup> “meat” means the carcase of an animal or any part of the carcase or offals of an animal, whether processed or not, which is capable of being used for human consumption,...<sup>F52</sup>];

“meat detention officer” means an officer holding a Meat Detention Diploma issued by the Royal College of Veterinary Surgeons or an officer who holds an equivalent qualification accepted by the Ministry;

“meat shipping licence” has the meaning assigned to that expression by sub-section (1) of section two;

“Ministry” means the Ministry of Agriculture;

“offals” means all entrails, fat and parts of an animal, other than the dressed carcase, which are capable of being used for human consumption;

“package” includes any wrapper, case, cask, box, crate or other receptacle;

“pig products” means pork and bacon and anything derived from pigs which is capable of being used for human consumption or in the preparation of food for human consumption;

“pigs” includes the carcasses of pigs;

“prescribed” means prescribed by regulations made by the Ministry under this Act;

[<sup>F53</sup> “processing” means subjecting meat to a process for or incidental to any treatment of the meat by canning, cooking, smoking [<sup>F54</sup> curing], rendering or dehydrating or otherwise howsoever preparing it for food whether in combination with, or without, other materials;]

“producer of pig products” means a person who purchases whole pigs for the purpose of producing pig products therefrom;

“rabbits” includes hares;

“registered premises” has the meaning assigned to that expression by sub-section (1) [<sup>F54</sup> and (1A)] of section three;

“send” includes taking or carrying or causing to be sent, taken or carried;

[<sup>F53</sup> “treatment”, except in the definition of “processing”, includes cooling, chilling, freezing and preserving;]

“veterinary inspector” means an inspector who is a veterinary surgeon or veterinary practitioner.

**F50** SRO (NI) 1973/343

**F51** 1970 c. 20 (NI)

**F52** 1977 NI 12

**F53** 1970 c. 20 (NI)

**F54** 1977 NI 12



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## **24 Short title.**

This Act may be cited as the Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland), 1962.

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*Schedule rep. by SLR (NI) 1973*

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**Changes to legislation:**

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