
STATUTORY INSTRUMENTS

1994 No. 1029

FOOD

The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994

<i>Made</i>	- - - -	<i>7th April 1994</i>
<i>Laid before Parliament</i>		<i>7th April 1994</i>
<i>Coming into force</i>	- -	<i>1st May 1994</i>

The Minister of Agriculture, Fisheries and Food, and the Secretaries of State respectively concerned with health in England and food and health in Wales, in relation to England and Wales, and the Secretary of State, in relation to Scotland, acting jointly, in exercise of the powers conferred on them by sections 16(1)(b), (c), (d) and (f), 16(2)(a), 16(3), 17(1), 19(1)(b), 26, 37(2), 48(1) and 49(2) of, and paragraphs 2(1), 3(1), 5(1), (2)(a)(3), 6(1)(a), 7(1) and (2) of Schedule 1 to, the Food Safety Act 1990⁽¹⁾ and of all other powers enabling them in that behalf; the Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated⁽²⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽³⁾ in relation to the common agricultural policy of the European Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2), and of all other powers enabling them in that behalf, after consultation in accordance with section 48 of the said Act of 1990 with such organisations as appear to them to be representative of interests substantially affected by the Regulations (in so far as the Regulations are made in exercise of the powers conferred by the said sections of the said Act of 1990), and after consultation with the Council on Tribunals in accordance with section 8 of the Tribunals and Inquiries Act 1992⁽⁴⁾ hereby make the following Regulations:—

PART I

PRELIMINARY

Title and commencement

1.—(1) These Regulations may be cited as the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994 and shall come into force on 1st May 1994.

(1) 1990 c. 16; “the Ministers” is defined in section 4(1) of the Act.
(2) S.I. 1972/1811.
(3) 1972 c. 68.
(4) 1992 c. 53.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act” means the Food Safety Act 1990;

“the 1976 Regulations” means, in relation to England and Wales, the Poultry Meat (Hygiene) Regulations 1976⁽⁵⁾ and in relation to Scotland, the Poultry Meat (Hygiene) (Scotland) Regulations 1976⁽⁶⁾;

“another member State” means a member State of the European Community other than the United Kingdom;

“batch” means a quantity of meat of the same species and type produced by or obtained from the same production run and from the same flock of origin;

“birds” means poultry or farmed game birds;

“carcase” means—

(a) in relation to birds, the whole body of a bird after bleeding, plucking and evisceration, whether or not the heart, liver, lungs, the gizzard, crop and kidneys, the legs at the tarsus, the head, oesophagus or trachea have been removed; and

(b) in relation to rabbits, the whole body of a rabbit after bleeding, skinning and evisceration, whether or not the limbs at the carpus and tarsus, the head and tail have been removed;

“carcase parts” means parts of a carcase;

“cold store” means any premises, not forming part of a slaughterhouse, cutting premises or re-wrapping centre, used for the storage, under temperature controlled conditions, of fresh meat intended for sale for human consumption;

“contravention” in relation to any provision of these Regulations includes a failure to comply with that provision;

“Council Directive 71/118/EEC” means Council Directive [71/118/EEC](#) on health problems affecting the production and placing on the market of fresh poultrymeat⁽⁷⁾, as amended and updated by Council Directive [92/116/EEC](#)⁽⁸⁾;

“Council Directive 91/495/EEC” means Council Directive [91/495/EEC](#) concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat⁽⁹⁾ as amended by Council Directive [92/65/EEC](#)⁽¹⁰⁾;

“country of destination” means a member State to which fresh meat is sent from any other member State;

“cutting premises” means premises used for the purpose of cutting up fresh meat intended for sale for human consumption;

“cutting up” means cutting carcasses into smaller cuts or removing bones from carcasses or parts of carcasses;

“farmed game birds” means birds, other than poultry, which are not generally considered domestic but which are bred, reared and slaughtered in captivity;

“farmed game meat” means the meat of farmed game birds;

“final consumer” means a person who buys fresh meat—

⁽⁵⁾ S.I. [1976/1209](#); amended by S.I. [1990/2494](#) and the instruments specified as items 2 to 8 in column 1 of Schedule 23 to these Regulations.

⁽⁶⁾ S.I. [1976/1221 \(S.103\)](#); amended by S.I. [1990/2494](#) and the instruments specified as items 10 to 15 in column 1 of Schedule 23 to these Regulations.

⁽⁷⁾ OJ No. L55, 8.3.71, p. 23 (OJ/SE 1971 vol. I, p. 106).

⁽⁸⁾ OJ No. L62, 15.3.93, p. 1.

⁽⁹⁾ OJ No. L268, 24.9.91, p. 41.

⁽¹⁰⁾ OJ No. L268, 14.9.92, p. 54.

- (a) for his own consumption;
- (b) for direct transport to, and consumption on, premises either in his ownership or under his personal supervision or in the ownership or under the personal supervision of a person employed by him; or
- (c) for cooking on premises either in his ownership or under his personal supervision or in the ownership or under the personal supervision of a person employed by him for sale as ready-cooked take-away food for consumption off those premises;

“fresh”, as applied to meat, means all meat, including chilled or frozen meat, which has not undergone any preserving process and includes meat vacuum wrapped or wrapped in a controlled atmosphere;

“handling” includes the cutting up, storing, packaging, wrapping or re-wrapping of fresh meat and the preparation of fresh meat for any such purpose or for sale;

“health mark” means a mark applied in accordance with regulation 12 and of a kind and in the manner set out in Schedule 11;

“inspector” means an authorised officer who—

- (a) has a qualification specified in Schedule 16; and
- (b) is appointed as an inspector in accordance with regulation 8(2);

“licensed”, in relation to any slaughterhouse, cutting premises, cold store or re-wrapping centre, means licensed by the Minister under regulation 4;

“local market” means a market held in the same locality as, or in a neighbouring locality to, that in which the premises in question are situated;

“locality” means the area comprised within the boundary of—

- (a) in relation to England:
 - (i) a metropolitan county named in Part I or a non-metropolitan county named in Part II of Schedule 1 to the Local Government Act 1972⁽¹¹⁾,
 - (ii) the Isles of Scilly, which shall be regarded as one locality,
 - (iii) Greater London, as defined in section 2(1) of the London Government Act 1963⁽¹²⁾,
- (b) in relation to Wales, a county named in Part I of Schedule 4 to the Local Government Act 1972 save that the counties of Mid Glamorgan, South Glamorgan and West Glamorgan shall be regarded as one locality, and
- (c) in relation to Scotland, a region named in Part I or an island area named in Part II of Schedule 1 to the Local Government (Scotland) Act 1973⁽¹³⁾;

subject, in relation to a county in England or Wales or a London Borough comprised within the area of Greater London referred to in this definition, to any alterations made under Part IV of the Local Government Act 1972 and in relation to a region in Scotland, to any alterations made under Part II of the Local Government (Scotland) Act 1973.

“low throughput”—

- (a) in relation to a slaughterhouse means a throughput of not more than 150,000 birds or 300,000 rabbits each year;

⁽¹¹⁾ 1972 c. 70.

⁽¹²⁾ 1963 c. 33.

⁽¹³⁾ 1973 c. 65.

(b) in relation to a cutting premises not forming part of a slaughterhouse licensed under regulation 4(3), means a production of not more than 3 tonnes of cut up fresh meat each week;

“meat” means all parts of a bird or rabbit which are fit for human consumption;

“occupier” means any person carrying on the business of a slaughterhouse, cutting premises, cold store or re-wrapping centre (either separately or together) or his duly authorised representative and, in relation to an application in respect of any such premises for a licence under regulation 4, includes the owner of those premises, the person proposing to occupy those premises and the duly authorised representative of any such person;

“offal” means fresh meat other than that of the carcase, whether or not naturally connected to the carcase, including the head and feet where these are presented separate from the carcase;

“official veterinary surgeon” means a veterinary surgeon designated by the Minister under regulation 9;

“packaging”, in relation to fresh meat, means the placing of wrapped meat in a container, as well as the container itself;

“permitted preservative” means a preservative the use of which in foodstuffs is permitted under the Preservatives in Food Regulations 1989(14) and the Preservatives in Food (Scotland) Regulations 1989(15);

“plant inspection assistant” means a person who is authorised in accordance with regulation 11;

“post-mortem health inspection” means the inspection of slaughtered birds or rabbits in a slaughterhouse in accordance with regulation 14(1)(d) and Schedule 9;

“poultry” means domestic fowls, turkeys, guinea fowls, ducks and geese;

“poultry meat” means the meat of poultry;

“pre-slaughter health inspection” means the inspection of live birds or rabbits in accordance with regulation 14(1)(b) and Schedule 7;

“premises” means any slaughterhouse, cutting premises, cold store or re-wrapping centre or a combination of some or all such premises;

“producer” means the person who owns or is in charge of any birds or rabbits and the duly authorised representative of any such person;

“production report” means the report referred to in paragraph 1(b)(ii) of Schedule 7;

“rabbit” means a domestic rabbit and “rabbit meat” shall be construed accordingly;

“restricted sale” means a sale of any fresh meat from any premises—

(a) direct to the final consumer at those premises, other than by mail order or itinerant sale; or

(b) direct to the final consumer at a local market; or

(c) to a retailer who sells direct to the final consumer, other than by itinerant sale or mail order, where such retailer pursues his trade in the same locality as, or in a neighbouring locality to, that in which those premises are situated;

“re-wrapping centre” means any premises where consignments of fresh meat intended for sale are packaged, wrapped or re-wrapped;

“sell” includes offer or expose for sale or have in possession for sale or supply, otherwise than on sale, in the course of a business;

(14) S.I. 1989/533; to which there are amendments not relevant to these Regulations.

(15) S.I. 1989/581 (S.66); to which there are amendments not relevant to these Regulations.

“slaughterhouse” means any building, premises or place for slaughtering birds or rabbits, the flesh of which is intended for sale for human consumption and includes any place available in connection therewith for the confinement of birds or rabbits awaiting slaughter there;

“small wild game” has the same meaning as in Article 2(1)(c) of Council Directive [92/45/EEC](#) on public health and animal health problems relating to the killing of wildgame and the placing on the market of wild-game meat⁽¹⁶⁾;

“specified group” means—

- (a) in relation to birds, two or more birds from the same flock, farm or housing or in the same free range, and
- (b) in relation to rabbits, two or more rabbits from the same farm or housing or in the same free range;

“third country” means a country other than a member State of the European Community;

“veterinary officer” means a veterinary officer of the Minister of Agriculture, Fisheries and Food;

“viscera” means offal from the thoracic, abdominal and pelvic cavities including the trachea, oesophagus and, in relation to birds, the crop;

“wrapping” in relation to the protection of fresh meat means placing in material which comes into direct contact with such meat as well as the material itself.

(2) Except in so far as the context otherwise requires, any reference in these Regulations to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule bearing that number in these Regulations.

(3) Other expressions used in these Regulations have, in so far as the context admits, the same meanings as—

- (a) in relation to poultrymeat, in Council Directive [71/118/EEC](#);
- (b) in relation to rabbit meat and farmed game meat, in Council Directive [91/495/EEC](#); and
- (c) in relation to poultry meat, rabbit meat and farmed game meat, in Council Directive [91/494/EEC](#) on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultry meat⁽¹⁷⁾ as amended by Council Directive [93/121/EEC](#)⁽¹⁸⁾.

(4) Nothing in these Regulations shall be construed as derogating from the provisions of the Animal Health Act 1981⁽¹⁹⁾ or of any Order made thereunder.

Exemptions

3.—(1) These Regulations shall not apply to—

- (a) premises where fresh meat is cut up, stored or re-wrapped for sale from those premises to the final consumer;
- (b) subject to paragraphs (2), (3) and (4) below, premises with an annual production of less than 10,000 birds or rabbits which sell fresh meat in small quantities either—
 - (i) direct to the final consumer at those premises; or
 - (ii) direct to the final consumer at a local market; or

⁽¹⁶⁾ OJ No. L268, 14.9.92, p. 35.

⁽¹⁷⁾ OJ No. L268, 24.9.91, p. 35.

⁽¹⁸⁾ OJ No. L340, 31.12.93, p. 39.

⁽¹⁹⁾ [1981 c. 22](#).

- (iii) to retailers who sell direct to the final consumer where such retailers pursue their trade in the same locality as, or in a neighbouring locality to, that in which those premises are situated; or
 - (iv) at a market other than a local market, during the period of two weeks which immediately precede Christmas day and Easter Sunday each year;
 - (c) a cold store, where all the fresh meat stored in that cold store has been wrapped and packaged ready for immediate delivery to the final consumer, and—
 - (i) is intended for sale to the final consumer at those premises, or
 - (ii) is intended for delivery to retail traders in Great Britain who sell direct to the final consumer;
 - (d) fresh meat intended for exhibition, special studies or analysis provided that such meat is not used for human consumption and, except in the case of such meat used for analysis, it is destroyed after such exhibition or special study, as the case may be;
 - (e) fresh meat intended exclusively for sale to international organisations;
 - (f) fresh meat intended for uses other than human consumption;
 - (g) any person engaged in any activity described in sub-paragraphs (a), (b), (c), (d), (e) or (f) above, or to any vehicle used for such purpose.
- (2) The exemption in paragraph (1)(b) above shall not apply to any itinerant sale or sale by mail order.
- (3) Notwithstanding the exemption in paragraph (1)(b) above, no person shall sell poultry in the form of the whole body of any slaughtered and plucked poultry, at a market, unless it bears on or there is attached to each such body a label or other marking clearly indicating the name and the address of the premises where such poultry was slaughtered and plucked.
- (4) Notwithstanding the exemption in paragraph (1)(b) above, the occupier of any such premises shall—
- (a) keep a record in adequate form to show the number of birds, rabbits, or both, as appropriate, identified by species, received into, and the amounts of fresh meat despatched from those premises during each week;
 - (b) retain such record for a period of one year from the date of such record; and
 - (c) make such record available to an authorised officer of the food authority upon request.

PART II

LICENSING OF SLAUGHTERHOUSES, CUTTING PREMISES, COLD STORES AND RE-WRAPPING CENTRES

Issue of licences

4.—(1) Subject to paragraph (2) below, no person shall use any premises as a slaughterhouse, cutting premises, cold store or re-wrapping centre unless those premises are currently licensed.

(2) Paragraph (1) above shall not apply until 1st August 1994, to—

- (a) low throughput premises;
- (b) premises, other than low throughput premises, the supply of fresh meat from which before the coming into force of these Regulations was exempt under the proviso to regulation 3 of the 1976 Regulations;

- (c) premises, other than low throughput premises, the occupier of which holds a licence issued under the 1976 Regulations on or before 30th April 1994 and which is valid at that date;
 - (d) cold stores;
 - (e) re-wrapping centres;
 - (f) premises used as a slaughterhouse, cutting premises, cold store or re-wrapping centre for the slaughter or handling of farmed game meat or rabbit meat, or both, only.
- (3) Without prejudice to paragraphs (10), (11) and (12) below, the Minister on application made to the Minister under this regulation—
- (a) shall, subject to paragraph (8) below, license the premises to which the application relates as—
 - (i) a slaughterhouse if either—
 - (aa) the Minister is satisfied that the premises comply with the requirements of Schedules 1 and 2; or
 - (bb) the occupier of the premises has agreed a work plan with the Minister to carry out and complete works at the premises necessary to comply with the requirements of Schedules 1 and 2 on or before 1st August 1996, and the supply of fresh meat from those premises before 1st May 1994 was exempt under the proviso to regulation 3 of the 1976 Regulations,and (in either case) that the method of operation in those premises complies with the requirements of Schedules 6 to 9;
 - (ii) a low throughput slaughterhouse if either—
 - (aa) the Minister is satisfied that it complies with the requirements of Parts I and II of Schedule 5; or
 - (bb) the occupier of the premises has agreed a work plan with the Minister to carry out and complete works at the premises necessary to comply with the requirements of Parts I and II of Schedule 5 on or before 1st August 1996,and (in either case) that the method of operation in those premises complies with the requirements of Schedules 6 to 9;
 - (iii) cutting premises if either—
 - (aa) the Minister is satisfied that the premises comply with the requirements of Schedules 1 and 3; or
 - (bb) the occupier of the premises has agreed a work plan with the Minister to carry out and complete works at the premises necessary to comply with the requirements of Schedules 1 and 3 on or before 1st August 1996 and the supply of fresh meat from those premises before 1st May 1994 was exempt under the proviso to regulation 3 of the 1976 Regulations,and (in either case) that the method of operation in those premises complies with the requirements of Schedules 6 and 10;
 - (iv) low throughput cutting premises if either—
 - (aa) the Minister is satisfied that they comply with the requirements of Part I of Schedule 5; or
 - (bb) the occupier of the premises has agreed a work plan with the Minister to carry out and complete works at the premises necessary to comply with the requirements of Part I of Schedule 5 on or before 1st August 1996,and (in either case) that the method of operation in those premises complies with the requirements of Schedules 6 and 10;

- (v) a cold store if the Minister is satisfied that the premises comply with the requirements of Schedules 1 and 4 and that the method of operation in those premises complies with the requirements of Schedule 6 and Schedule 12;
 - (vi) a re-wrapping centre if the Minister is satisfied that the premises comply with the requirements of Schedule 1 and that the method of operation in those premises complies with the requirements of Schedules 6, 12 and 13; and
- (b) shall refuse so to license those premises if the Minister is not so satisfied.
- (4) Each application for a licence under this regulation shall be made in writing to the Minister by the occupier of the premises to which the application relates.
- (5) The Minister shall notify the food authority in writing of each such application.
- (6) Where a food authority has been notified under paragraph (5) above of an application for the licensing of any premises, it shall, within 14 days after receipt of such notification, submit to the Minister—
- (a) written notification that it is making arrangements for the appointment of an adequate number of official veterinary surgeons to supervise those premises as required by regulation 8; and
 - (b) where appropriate, written representations relating to that application, a copy of which it shall send to the occupier.
- (7) Within 14 days after the receipt of a copy of any representations submitted by the food authority under paragraph (6) above the occupier may submit written observations on those representations to the Minister.
- (8) In determining whether or not to license any premises under paragraph (3) above the Minister shall have regard to—
- (a) any representations submitted by the food authority under paragraph (6) above; and
 - (b) any observations submitted by the occupier under paragraph (7) above.
- (9) The Minister shall notify the occupier and the food authority in writing of the Minister's decision on each application for a licence under this regulation and of the reasons for any refusal to license such premises.
- (10) Any licence granted in respect of any premises under this regulation shall be subject to the condition that any significant alteration to the premises or the equipment in those premises or the method of operation in those premises shall comply with the provisions of these Regulations.
- (11) In granting a licence in respect of any premises under this regulation the Minister may make that licence subject to conditions in respect of any rabbits or species of bird which shall be slaughtered or handled there.
- (12) In granting a licence in respect of a cold store the Minister may make that licence subject to the condition that fresh meat shall be stored only in one or more specified storage chambers or that the cold store shall store only fresh meat which is packaged.
- (13) Where the Minister has refused to grant a licence under this regulation or granted a licence subject to any condition imposed pursuant to paragraph (11) or (12) above, the notification under paragraph (9) above shall state the right of appeal to a Meat Hygiene Appeals Tribunal for which provision is made in regulation 6, and the time within which an appeal shall be lodged.

Revocation of licences

5.—(1) The Minister may revoke a licence granted by the Minister under regulation 4 in respect of any premises if, after an inspection of, or an inquiry into, the operation or structure of the premises and a report by an official veterinary surgeon or veterinary officer and after consultation with the food

authority and, if it appears to the Minister to be appropriate, the occupier, the Minister is satisfied that—

- (a) the conditions of hygiene at those premises are inadequate and the occupier has failed to take the necessary measures to make good the shortcoming within such period as the Minister may specify; or
- (b) any requirement of these Regulations as to hygiene has not been complied with and no action has been taken to ensure that a similar breach does not occur in future; or
- (c) any agreement made by the occupier with the Minister to carry out and complete any works referred to in regulation 4(3)(a)(i), (ii), (iii) or (iv) has not been complied with; or
- (d) the condition referred to in regulation 4(10) or any other condition attached to the licence in accordance with regulation 4(11) or (12) has not been complied with; or
- (e) the business carried on at the premises in respect of which the licence was granted is no longer being carried on there.

(2) The Minister shall forthwith notify in writing the occupier and the food authority of the Minister's decision under paragraph (1) above to revoke any licence granted under these Regulations in respect of any premises, of the date on which the revocation is to take effect and of the reasons for such revocation.

(3) Any notification under paragraph (2) above must state the right of appeal to a Meat Hygiene Appeals Tribunal for which provision is made in regulation 6, and the time within which an appeal must be lodged.

Appeals Tribunal

6.—(1) Where the Minister has refused to license any premises or has granted a licence with conditions unacceptable to the occupier of the premises under regulation 4 or has revoked the licence of any premises under regulation 5, the occupier of those premises may, within 28 days of being notified of that decision in accordance with regulation 4(9) or 5(2), appeal to a Meat Hygiene Appeals Tribunal.

(2) The provisions of Schedule 15 shall apply in respect of the constitution, appointment of members, remuneration of members and staffing of a Meat Hygiene Appeals Tribunal.

(3) Where on an appeal under paragraph (1) above a Meat Hygiene Appeals Tribunal—

- (a) determines that the issue of a licence under regulation 4 should not be refused by the Minister; or
- (b) determines that any condition imposed by the Minister under regulation 4(11) or (12) is unreasonable; or
- (c) reverses the decision of the Minister under regulation 5, to revoke a licence;

the Minister shall give effect to the determination of the Tribunal.

(4) Without prejudice to sections 9 to 13 of the Act, where the Minister has refused a licence under regulation 4 or revoked the licence of any premises under regulation 5, a person who, immediately before such refusal or revocation had been using them as a slaughterhouse, cutting premises, cold store or re-wrapping centre (as the case may be), may continue to use them for that purpose, subject to any reasonable conditions imposed by the Minister for the protection of public health, until the time for appealing has expired and, if an appeal is lodged, until the appeal is finally disposed of or abandoned.

Prohibition on the slaughter at a slaughterhouse of a bird or rabbit not intended for sale for human consumption

7.—(1) Subject to paragraph (2) below, no person shall use or cause to be used any slaughterhouse for the slaughter of any bird or rabbit not intended for sale for human consumption.

(2) Paragraph (1) above shall not apply in respect of the use of a slaughterhouse for the slaughter of a bird or rabbit not intended for sale for human consumption if—

- (a) that bird or rabbit is slaughtered in a different room or at a different time from any bird or rabbit intended to be slaughtered for sale for human consumption; and
- (b) appropriate steps are taken to prevent the contamination of fresh meat in that slaughterhouse.

PART III

SUPERVISION AND CONTROL OF PREMISES

Supervision of premises

8.—(1) Subject to paragraph (5) below, every food authority shall, in relation to any licensed premises appoint one or more official veterinary surgeons, in each case to be an authorised officer of that authority, authorised to act in relation to the examination and seizure of meat, to provide the health certification of fresh meat in accordance with regulation 15 and to be responsible for the following functions in relation to those premises, that is to say—

- (a) the authorisation of slaughter of birds or rabbits in accordance with Schedule 7;
- (b) the post-mortem health inspection of slaughtered birds or rabbits in accordance with Schedule 9;
- (c) the supervision of the health marking of fresh meat in accordance with Schedule 11;
- (d) securing, in accordance with these Regulations, the observance of the requirements of Schedules 1, 2, 3, 4, 5, 6, 8, 10, 12, 13 and 14, as appropriate; and
- (e) the carrying out of any necessary training of plant inspection assistants and the supervision of plant inspection assistants.

(2) Subject to paragraphs (4) and (5) below, every food authority shall, in relation to any licensed premises, appoint such number of persons to act as inspectors in relation to the functions specified in paragraph 1(a) to (e) above as are necessary for the proper performance of those functions.

(3) An inspector appointed under paragraph (2) above shall act under the supervision and responsibility of an official veterinary surgeon.

(4) In considering whether it is necessary to appoint any inspector or inspectors in relation to any licensed premises, the food authority shall have proper regard to the availability at those premises of any plant inspection assistants.

(5) Paragraphs (1) and (2) above shall not apply—

- (a) until 1st August 1994, to the premises referred to in regulation 4(2)(b), (d), (e) and (f);
- (b) until 1st August 1994, to low throughput premises other than low throughput premises referred to in sub-paragraph (c) below; and
- (c) until 1st April 1995, to low throughput premises which make restricted sales only.

Designation of official veterinary surgeons

9.—(1) The Minister may designate a veterinary surgeon as an authorised officer who is to act in the capacity of an official veterinary surgeon for the purposes of these Regulations.

(2) Subject to paragraphs (3) and (4) below, the Minister may, at any time, revoke or suspend the designation of any person as an official veterinary surgeon if it appears to the Minister that such person is unfit or unwilling to perform one or more of the functions of an official veterinary surgeon under these Regulations.

(3) Where the Minister revokes or suspends a designation under paragraph (2) above the Minister shall, as soon as possible, give to the person whose designation has been revoked or suspended a notice in writing of the reasons for such revocation or suspension and shall afford him an opportunity of making representations in writing to the Minister with regard to the revocation or suspension or of being heard by a person appointed for the purpose by the Minister.

(4) A notice given under paragraph (3) above shall inform the person to whom it is given of his right to make representations in writing, of the manner in which and the time (not being less than 21 days from the giving of the notice) within which such representations may be made and of his right to be heard and of the manner in which and the time (not being less than 21 days from the giving of the notice) within which he may apply for an opportunity to be heard; and, in the event of the designated person making any representations (whether orally or in writing) to the Minister under this paragraph, the Minister shall reconsider whether that person is unfit or has been unwilling to perform one or more of the functions of an official veterinary surgeon under these Regulations and shall reconsider, as soon as practicable, the Minister's decision to revoke or suspend the designation under paragraph (2) above in the light of those representations.

Powers of official veterinary surgeons and veterinary officers

10.—(1) Where it appears to an official veterinary surgeon that in respect of any premises to which he is appointed—

- (a) any of the requirements of these Regulations as to hygiene is clearly being breached; or
- (b) adequate health inspection in accordance with these Regulations is being hampered; or
- (c) the requirements of regulation 18(3) have not been complied with;

he may by notice in writing given to the occupier of those premises—

- (i) prohibit the use of any equipment or any part of the premises specified in the notice; or
- (ii) require the rate of operation to be reduced to such an extent as is specified in the notice.

(2) Before giving notice under paragraph (1) above, the official veterinary surgeon shall consult with the food authority unless he reasonably considers that—

- (a) it is necessary for the protection of public health to give such notice without delay, and
- (b) it is not practicable to consult the food authority before giving such notice.

(3) A person who is aggrieved by a decision of an official veterinary surgeon pursuant to paragraph (1) above may appeal to a magistrates' court or, in Scotland, to the sheriff, in accordance with the provisions of section 37(3) to (5) of the Act.

(4) A notice given under paragraph (1) above shall specify the breach of the Regulations that has occurred, the action needed in order to remedy it and the details specified in section 37(6) of the Act; and—

- (a) such a notice shall be withdrawn by a further notice in writing given by an official veterinary surgeon or by an inspector acting under the authority of the official veterinary surgeon, to the occupier of the premises as soon as an official veterinary surgeon or such inspector is satisfied that such action has been taken; and

(b) so long as such a notice is in effect, the licence in respect of the premises shall be treated as being altered by the addition of the requirements specified in the notice and the other provisions of the licence shall be subject to those requirements.

(5) The official veterinary surgeon giving a notice under paragraph (1) above shall send a copy of that notice to the food authority and the Minister.

(6) An official veterinary surgeon, in relation to any premises to which he is appointed, or a veterinary officer, may subject any bird or rabbit or any carcase or meat in any premises to such examinations (including the taking and analysis of samples) as he may reasonably consider to be necessary for the protection of public health; and an official veterinary surgeon, veterinary officer or an inspector may, where he reasonably considers it necessary for the protection of public health, by notice in writing given to the occupier of any such premises, state that he requires to examine any specified group, bird or rabbit, carcase, or meat specified in the notice, on the premises and once such notice is received the occupier shall detain any such specified group, bird or rabbit, carcase or meat until such time as he is informed in writing, as soon as practicable, by the official veterinary surgeon, or veterinary officer or inspector (as the case may be) that the result of any such examination has been obtained.

(7) A veterinary officer may at any time give to an official veterinary surgeon such reasonable directions as he may consider necessary so as to ensure that the duties and functions of such a person under these Regulations are being complied with and the official veterinary surgeon shall comply with those directions; the veterinary officer shall notify the food authority of any such directions given by him.

Authorisation of plant inspection assistants

11.—(1) The Minister may, in relation to any licensed premises authorise persons employed at those premises to act as plant inspection assistants in relation to the function specified in paragraph 1 of Part I of Schedule 9.

(2) No person shall act as a plant inspection assistant unless—

- (a) that person is authorised under paragraph (1) above; and
- (b) that person is supervised by an official veterinary surgeon.

(3) Subject to paragraphs (4) and (5) below, the Minister may at any time revoke or suspend the authorisation of any person as a plant inspection assistant if it appears to the Minister, on the basis of a report by a veterinary officer or an official veterinary surgeon, that—

- (a) such person is unfit to perform the function specified in paragraph 1 of Part I of Schedule 9 or has failed to perform such function in accordance with these Regulations;
- (b) such person ceases to be employed at the premises in relation to which he was authorised to act.

(4) Where the Minister revokes or suspends an authorisation granted under paragraph (1) above the Minister shall, as soon as possible, give to the person whose authorisation has been revoked or suspended notice in writing of the reasons for such revocation or suspension and shall afford him an opportunity of making representations in writing to the Minister with regard to the revocation or suspension or of being heard by a person appointed for the purpose by the Minister.

(5) A notice given under paragraph (4) above shall inform the person to whom it is given of his right to make representations in writing, of the manner in which and the time (not being less than 21 days from the giving of the notice) within which such representations may be made and of his right to be heard and of the manner in which and the time (not being less than 21 days from the giving of the notice) within which he may apply for an opportunity to be heard; and, in the event of that person making any representations (whether orally or in writing) to the Minister under this paragraph, the Minister shall reconsider whether that person is unfit to act or has failed to perform

his functions as a plant inspection assistant under these Regulations and shall reconsider, as soon as practicable, the Minister's decision to revoke or suspend the authorisation under paragraph (3) above in the light of those representations.

Inspection and health marking

12.—(1) Subject to paragraph (2) below, the food authority shall—

- (a) arrange for pre-slaughter health inspections to be carried out and authorise the slaughter of birds or rabbits in accordance with Schedule 7, and
- (b) arrange for post-mortem health inspections to be carried out at every slaughterhouse in accordance with Schedule 9.

(2) Paragraph (1) above and paragraph (5) below shall not apply—

- (a) until 1st August 1994, to the premises referred to in regulation 4(2)(b), (d), (e) and (f); or
- (b) until 1st August 1994, to low throughput premises other than low throughput premises referred to in sub-paragraph (c) below;
- (c) until 1st April 1995, to low throughput premises which make restricted sales only.

(3) The health marking in accordance with Schedule 11 shall be applied to all fresh meat which has been passed as fit for human consumption following pre-slaughter and post-mortem health inspections and which complies with the requirements of these Regulations.

(4) The health mark shall not be applied to—

- (a) any fresh meat which does not satisfy the requirements specified in paragraph (3) above; or
- (b) any uneviscerated poultry or uneviscerated farmed game birds.

(5) No person shall remove, or cause or permit to be removed, from licensed premises any carcase or part of a carcase or any offal until it has been inspected in accordance with these Regulations and, in the case of fresh meat passed as fit for human consumption after inspection, until it has been marked in accordance with paragraph (3) above.

(6) No person shall remove, or cause or permit to be removed, from a licensed premises any body of a bird—

- (a) unless it is accompanied by the health attestation shown in Schedule 20; or
- (b) in the case of uneviscerated poultry, until the surface of the body of that bird has been inspected and the bird passed as fit for human consumption.

(7) The health mark shall be applied under the supervision and responsibility of an official veterinary surgeon who may be assisted by an inspector.

(8) No person shall use any mark so resembling a health mark used in accordance with Schedule 11 in such a way as to be likely to suggest that the product has been produced in accordance with these Regulations.

Notice of slaughter

13.—(1) Subject to paragraph (3) below, no person shall slaughter, or cause to be slaughtered, in any slaughterhouse any bird or rabbit intended for sale for human consumption unless he has notified, in accordance with paragraph (2) below, the food authority within whose area the place of slaughter is situated of the day and time on, and of the place at, which the slaughter will take place.

(2) The notification referred to in paragraph (1) above shall be given to the food authority not less than 72 hours before the time of such slaughter except where the food authority has agreed with the person required to give such notice that it will accept notice of a shorter duration, in which case such person shall give to that food authority notice of such agreed duration.

(3) Where it is the regular practice in any slaughterhouse to slaughter birds or rabbits at fixed times on fixed days and written notice of this practice has been given to and accepted by the food authority this shall, as respects any birds or rabbits slaughtered in accordance with such practice, be regarded as adequate compliance with the requirements in paragraphs (1) and (2) above.

PART IV

CONDITIONS FOR THE MARKETING OF FRESH MEAT

General conditions

14.—(1) Subject to paragraphs (5), (6), (7) and (8) below, no person shall at any time on or after 1st May 1994, sell for human consumption any fresh meat unless—

- (a) it has been obtained from licensed premises or from premises which are supervised in accordance with regulation 8;
- (b) it comes from a bird or rabbit which has been subjected to a pre-slaughter health inspection in accordance with Schedule 7 and following such inspection has been passed as fit for slaughter for human consumption, and has been slaughtered thereafter;
- (c) it has been chilled and prepared under hygienic conditions in accordance with Schedule 8;
- (d) it comes from the body of a bird or rabbit which has been subjected to a post-mortem health inspection in accordance with Schedule 9 and which has shown no evidence of disease or other abnormal condition except for localised lesions or contaminations which have been removed and which do not render the remainder of the carcass unfit for human consumption;
- (e) it has been given a health mark in accordance with Schedule 11;
- (f) it is accompanied during transportation by either—
 - (i) a health certificate, or
 - (ii) an invoice or delivery note; in accordance with regulation 15;
- (g) if it has been stored in any licensed premises, it has been stored in accordance with Schedule 12;
- (h) if it is wrapped or packaged, it has been wrapped or packaged under hygienic conditions in accordance with Schedule 13; and
- (i) if it has been transported to, or from, any licensed premises, it has been transported under hygienic conditions in accordance with Schedule 14.

(2) Subject to paragraphs (5) and (9) below no person shall sell for human consumption—

- (a) fresh meat which—
 - (i) has been treated with an antibiotic or tenderiser;
 - (ii) has been marked with a colourant other than in accordance with regulation 12(3) and Schedule 11;
 - (iii) has not been eviscerated;
 - (iv) has been treated with a preservative other than a permitted preservative; or
 - (v) has been cooled, immediately after evisceration and post-mortem health inspection, by a means of immersion in water which is not in accordance with the requirements of paragraphs 10 and 11 of Schedule 8;
- (b) rabbit meat or farmed game meat which has been treated with ionizing or ultra-violet radiation.

(3) Subject to paragraph (4) below, no person shall consign or sell for consignment to another member State for human consumption—

- (a) fresh meat produced in a low throughput premises;
- (b) fresh meat cut up in a low throughput cutting premises;
- (c) fresh meat which has been marked in accordance with paragraph 6 of Schedule 11;
- (d) rabbit meat or farmed game meat which has been treated with ionizing or ultra-violet radiation;
- (e) farmed game meat which has not been eviscerated;
- (f) fresh meat which has been obtained from a specified group subject to a programme for the control of infectious disease.

(4) Paragraph (3) above shall not apply to meat forming part of travellers' luggage and intended for their personal consumption and meat sent as small packages to private persons.

(5) Paragraphs (1) and (2) above shall not apply to fresh meat imported into Great Britain from any other part of the British Islands, another member State, or a third country, save that such imported fresh meat shall be handled and transported in accordance with these Regulations.

(6) Paragraph (1) above shall not apply until 1st August 1994 to the sale of fresh meat obtained from—

- (a) any of the premises referred to in regulation 4(2)(b), (d), (e) or (f); or
- (b) any low throughput premises other than by way of a restricted sale.

(7) Paragraph (1) above shall not apply until 1st April 1995 to the sale of fresh meat obtained from low throughput premises if that sale is either—

- (a) a restricted sale; or
- (b) by a retailer to whom that fresh meat was sold by way of a restricted sale.

(8) Without prejudice to regulation 23 of the Food Hygiene (Markets, Stalls and Delivery Vehicles) Regulations 1966⁽²⁰⁾ (transport of meat), paragraph (1)(i) above shall not apply in relation to the transportation of any fresh meat from any licensed premises, on sale, direct to the final consumer or to a retailer in Great Britain.

(9) Paragraph (2)(a)(iii) above shall not apply until 1st May 1997, in relation to the sale for human consumption of uneviscerated poultry meat in the form of whole bodies only, by an occupier of premises who was lawfully engaged in the sale of such uneviscerated poultry from those premises, before the date on which these Regulations came into force.

(10) Without prejudice to regulation 12(4)(b), the requirements as to slaughter and evisceration specified in Schedule 8 shall not apply in relation to the production for sale in Great Britain of partially eviscerated or non-eviscerated farmed game birds in a slaughterhouse or cutting premises—

- (a) which was lawfully engaged in such production before 24th September 1991, and
- (b) to the occupier of which, at the request of such occupier, the Minister has granted in writing an exemption from those requirements in pursuance of Article 9 of Council Directive 91/495/EEC.

Transport documentation

15.—(1) Subject to paragraph (3) below, the occupier of premises licensed under these Regulations shall ensure that fresh meat is accompanied during transportation from those premises by—

⁽²⁰⁾ S.I. 1966/791; relevant amending instrument is S.I. 1992/2037.

- (a) in the case of fresh meat intended for consignment to another member State—
 - (i) which will be transported through a third country in a sealed means of transport, or
 - (ii) which is obtained from a slaughterhouse situated in a region or area subject to a prohibition or restriction under the Animal Health Act 1981⁽²¹⁾,
a health certificate in the form specified in Schedule 18 or Schedule 19, as appropriate;
- (b) in the case of fresh meat intended for consignment to another member State, a region of another member State, or a region of the United Kingdom outside Great Britain, which is recognised in accordance with Article 12(2) of Council Directive 90/539/EEC⁽²²⁾ as amended⁽²³⁾, in relation to its Newcastle disease status, the health certificate in the form specified in Schedule 18;
- (c) in any other case by an invoice or delivery note containing the following information:
 - (i) the name and address of the consignor and the consignee;
 - (ii) the approval number of the premises from which the meat is to be transported;
 - (iii) the date of issue of such invoice or delivery note and a number enabling it to be identified;
 - (iv) a description of the product transported;
 - (v) the total quantity despatched;
 - (vi) the particulars provided for in paragraphs 1 and 4 of Schedule 11.

(2) Subject to paragraph (3) below, any person who receives fresh meat direct from any licensed premises shall keep the invoice or delivery note referred to in paragraph (1)(c) above for a period of at least one year from the date of receipt.

(3) Paragraphs (1) and (2) above shall not apply where the fresh meat is being transported from licensed premises direct to the final consumer or to a retailer in Great Britain.

PART V

SLAUGHTER, PROHIBITIONS AND CONDITIONS

Prohibition and conditions of slaughter

16.—(1) An official veterinary surgeon or an inspector acting under the supervision of an official veterinary surgeon may require the occupier of any licensed premises or the producer of any specified group, bird or rabbit—

- (a) not to slaughter for human consumption any bird or rabbit in respect of which there is evidence that it would be unfit for such consumption;
- (b) not to slaughter for human consumption any bird or rabbit in respect of which clinical symptoms of ornithosis or salmonellosis have been established, or any other bird or rabbit from the specified group from which that bird or rabbit, as the case may be, came.

(2) An official veterinary surgeon shall require any slaughter of a specified group which is subject to a programme for control of infectious disease under the Zoonoses Order 1989⁽²⁴⁾ to be subject to the following conditions—

⁽²¹⁾ 1981 c. 22.

⁽²²⁾ OJ No. L303, 31.10.90, p. 6.

⁽²³⁾ relevant amending instrument is Council Directive 93/120/EEC (OJ No. L340, 31.12.93, p. 35).

⁽²⁴⁾ S.I. 1989/285.

- (a) that all necessary precautions are taken by the occupier of the licensed slaughterhouse or low throughput slaughterhouse or the producer of the specified group, bird or rabbit, as the case may be, to avoid contamination of other birds or rabbits;
 - (b) that slaughter shall take place at the end of the current slaughtering period at that slaughterhouse or under such conditions that compliance with sub-paragraph (a) of this paragraph is ensured;
 - (c) that any equipment, instruments, fittings and facilities used in such slaughter are thoroughly cleansed and disinfected immediately after such use.
- (3) A food authority may authorise the slaughter of a specified group, bird or rabbit which is subject to a requirement not to slaughter given under paragraph (1) above, upon application to that authority by the producer of that specified group, bird or rabbit, as the case may be.
- (4) A food authority may authorise the slaughter of a specified group, bird or rabbit under paragraph (3) above subject to the condition that—
- (a) the meat obtained from that specified group, bird or rabbit, as the case may be, shall not be used for human consumption; and
 - (b) the conditions specified in paragraph (2) above are complied with.
- (5) Failure to comply with—
- (a) a requirement made under paragraph (1) above; or
 - (b) a condition imposed under paragraph (2) above; or
 - (c) a condition of an authorisation for slaughter made under paragraph (4) above;
- shall be deemed to be a failure to comply with these Regulations.

PART VI

ADMINISTRATION, PENALTIES AND ENFORCEMENT

Records of inspections

17.—(1) The official veterinary surgeon shall record the results of the pre-slaughter health inspections and post-mortem health inspections carried out by him or under his supervision and where any such inspection reveals the presence of any transmissible disease in any birds or rabbits, he shall immediately notify the food authority, the Minister, the occupier of the slaughterhouse and the producer of the birds or rabbits in question of such presence.

(2) Every food authority shall keep in respect of each licensed premises, where appropriate, a record of the results of post-mortem health inspections and the food authority shall supply to the Minister copies of any such records kept by that authority as the Minister may from time to time require, and shall retain any such record for a period of one year from the date of the inspection to which it relates.

Duties of occupier

18.—(1) The occupier of any licensed premises shall—

- (a) keep, and retain for a period of at least one year from its date, a record adequate to show the number of birds, rabbits, or both, as appropriate, identified by species, received into, and the amounts of fresh meat despatched from, the premises during each week;
- (b) take all practicable steps to secure compliance by any person employed by him or by any person invited on to the premises with the provisions of these Regulations;

- (c) ensure that the official veterinary surgeon, inspector or veterinary officer is provided with adequate facilities to enable him to carry out his duties under these Regulations and that he is given such reasonable assistance and access to the premises and records as he may from time to time require for such purposes;
 - (d) take all necessary measures to ensure that, at all stages of production, the requirements of these Regulations are complied with and carry out checks (including any microbiological checks the Minister may require) on the general hygiene of conditions of production in his establishment to ensure that all equipment, machinery, instruments, fittings and facilities and, if necessary, fresh meat, comply with the requirements of these Regulations;
 - (e) take all necessary measures to ensure—
 - (i) that a record in permanent form, which shall be made available to the official veterinary surgeon or inspector upon request, is kept in respect of the matters specified in sub-paragraph (d) above for a period of at least two years from the date of such record;
 - (ii) the proper application of the health mark, as provided for in regulation 12(3), including the use of any labels or wrapping on which the health mark is printed;
 - (iii) that the official veterinary surgeon or inspector and the Minister are notified immediately when any information at the occupier's disposal reveals a serious health risk; and
 - (iv) in the event of a serious health risk, the withdrawal of fresh meat which has been obtained under or stored in similar conditions (as the case may be) and is likely to present the same risk.
- (2) The occupier of licensed premises shall in consultation with the official veterinary surgeon arrange or establish a staff training programme to train staff to comply with hygiene requirements appropriate to their operations on those premises.
- (3) Where the occupier of any licensed premises has informed the food authority that a specified number of plant inspection assistants are or will be made available at those premises, he shall ensure that such plant inspection assistants—
- (a) are present at the times as notified to him by the official veterinary surgeon appointed in respect of those premises, and
 - (b) carry out the function specified in paragraph 1 of Part I of Schedule 9, as directed by such official veterinary surgeon.
- (4) The occupier shall comply with any notice given under regulation 10(1).

Duties of producer

- 19.**—(1) A producer shall, so as to enable the official veterinary surgeon, inspector and veterinary officer to carry out their functions under these Regulations—
- (a) give any such person such assistance as he may reasonably request for any such purpose, and
 - (b) ensure that any birds or rabbits are made available in a condition suitable for inspection by such person.
- (2) Without prejudice to regulation 20, if a producer fails to comply with paragraph (1) above, the official veterinary surgeon, inspector or veterinary officer may suspend the inspection or other function until the producer complies with his obligation under paragraph (1) above.
- (3) Where a producer has received a notification under regulation 17(1) regarding the presence of a transmissible disease in any of his birds or rabbits, he shall retain such notification and bring it to

the notice of the veterinary surgeon carrying out a pre-slaughter health inspection of that producer's birds or rabbits during the subsequent production period.

Offences and penalties

20.—(1) If any person contravenes regulation 11(2), 13(1), 18(4) or 19(1), he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) If any person contravenes regulation 3(3), (4), 4(1), 7, 12(3), (4), (5), (6), (8), 14(1), (2), (3), 15(1), (2), 16(5), 18(1)(a), (b), (c), (e) or 19(3), he shall be guilty of an offence and shall be liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment, to a fine or imprisonment for a term not exceeding two years or both.

(3) No prosecution for an offence under these Regulations shall be begun after the expiry of—

- (a) three years from the commission of the offence; or
- (b) one year from its discovery by the prosecutor whichever is the earlier.

Recovery of costs

21. A food authority shall be entitled to recover on demand from a producer the costs of carrying out any inspection specified in paragraph 3(b) of Schedule 7.

Information to be provided by the food authorities

22. Every food authority shall provide the Minister with such information relating to the execution of its duties under these Regulations as the Minister may from time to time require.

Defences in relation to exports

23.—(1) In any proceedings for an offence under these Regulations it shall be a defence for the person charged to prove that the fresh meat in respect of which the offence is alleged to have been committed was intended for export outside the European Community and complied with the importing country's domestic legislation relevant to the alleged offence.

(2) In any proceedings for an offence under these Regulations where the alleged offence involves either—

- (a) a breach of the prohibition in regulation 14(3)(c); or
- (b) a breach of the prohibition in regulation 14(3)(e);

it shall be a defence for the person charged to prove that the fresh meat in respect of which the offence is alleged to have been committed complied with the importing country's legislation relevant to the alleged offence.

Enforcement

24.—(1) Subject to paragraphs (2) and (3) below each food authority shall execute and enforce within its area the provisions of these Regulations.

(2) Regulations 4, 5, 6, 9 and 11 shall be executed and enforced by the Minister.

(3) In this regulation "food authority" does not include—

- (a) the council of a non-metropolitan county in England and Wales, and

- (b) the appropriate Treasurer referred to in section 5(1)(c) of the Act (which deals with the Inner Temple and the Middle Temple).

Application of various sections of the Act

25. The following provisions of the Act shall apply for the purposes of these Regulations as they apply for the purposes of sections 8, 14 or 15 of the Act and, unless the context otherwise requires, any reference in them to the Act shall be construed as a reference to the Regulations—

- (a) section 3 (presumption that food is intended for sale for human consumption);
- (b) section 20 (offences due to fault of other person);
- (c) section 21 (defence of due diligence);
- (d) section 33 (obstruction, etc of officers);
- (e) section 36 (offences by bodies corporate);
- (f) section 44 (protection of officers acting in good faith).

Revocations

26. The Regulations specified in Schedule 23 are hereby revoked to the extent specified in relation thereto in Column 3 of that Schedule.

Amendments

27.—(1) For regulation 4A of the Food Hygiene (Docks, Carriers, etc.) Regulations 1960⁽²⁵⁾ there shall be substituted the following—

“**4A.** These Regulations shall not apply to premises to which the following Regulations apply—

- (a) the Fresh Meat (Hygiene and Inspection) Regulations 1992;
- (b) the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994.”.

(2) In the Food Hygiene (Markets, Stalls and Delivery Vehicles) Regulations 1966⁽²⁶⁾, for sub-paragraph (b) of the definition of “food business” in regulation 2 there shall be substituted the following—

- “(b) so much of any trade or business as consists of the handling of food at any premises or place, other than a market or stall—
- (i) to which the General Regulations apply; or
 - (ii) which is listed in regulation 4 of the Docks and Carriers Regulations; or
 - (iii) to which the Fresh Meat (Hygiene and Inspection) Regulations 1992 apply; or
 - (iv) to which the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994 apply;”.

(3) In the Food Hygiene (General) Regulations 1970⁽²⁷⁾ for sub-paragraph (b) of regulation 3(2) there shall be substituted the following—

- “(b) at any premises or place to which any of the following Regulations apply—
- (i) the Food Hygiene (Docks, Carriers, etc.) Regulations 1960;

⁽²⁵⁾ S.I. 1960/1602; relevant amending instrument is S.I. 1992/2037.

⁽²⁶⁾ S.I. 1966/791; relevant amending instrument is S.I. 1992/2037.

⁽²⁷⁾ S.I. 1970/1172; relevant amending instrument is S.I. 1992/2037.

- (ii) the Fresh Meat (Hygiene and Inspection) Regulations 1992;
 - (iii) the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”.
- (4) The Fresh Meat and Poultry Meat (Hygiene, Inspection and Examinations for Residues) (Charges) Regulations 1990(28) shall be amended as follows—
- (a) in regulation 2(1)—
 - (i) for the definition of “cold store”, there shall be substituted the following—
 - ““cold store” means:
 - (a) in relation to meat, premises used for the cold storage of meat intended for sale for human consumption but does not include any premises used wholly or mainly for sales of meat to the ultimate consumer;
 - (b) in relation to poultry meat, a cold store as defined in regulation 2(1) of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994, or a re-wrapping centre;”
 - (ii) for sub-paragraph (b) of the definition of “cutting up”, there shall be substituted the following—
 - “(b) in relation to poultry meat, cutting carcasses into smaller cuts or removing bones from carcasses or parts of carcasses;”;
 - (iii) for the definition of “health inspection and control exercise”, there shall be substituted the following—
 - ““health inspection and control exercise” means an inspection or supervisory function carried out by a food authority under—
 - (a) the Fresh Meat (Hygiene and Inspection) Regulations 1992; except in so far as such function relates to farmed game meat;
 - (b) the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”;
 - (iv) for the definition of “poultry meat”, there shall be substituted the following—
 - ““poultry meat” has the meaning given to it in regulation 2(1) of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”;
 - (v) there shall be inserted at the appropriate place, the following definition—
 - ““re-wrapping centre” has the meaning given to it in regulation 2(1) of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”;
 - (vi) for sub-paragraph (a) of the definition of “slaughterhouse”, there shall be substituted the following—
 - “(a) a slaughterhouse licensed—
 - (i) by a local authority under the Slaughterhouses Act 1974; or
 - (ii) under regulation 4 of the Fresh Meat (Hygiene and Inspection) Regulations 1992; or
 - (iii) under regulation 4 of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”;

- (b) in regulation 9(3)(a), for the words “slaughter, cutting up or storage”, there shall be substituted the words “slaughter, cutting up, storage or any of the functions of a re-wrapping centre”;
- (c) regulation 13 shall be deleted.
- (5) In the Food Premises (Registration) Regulations 1991⁽²⁹⁾ for sub-paragraph (d) of regulation 3(2) there shall be substituted the following—
- “(d) as a slaughterhouse, cutting premises, cold store or re-wrapping centre in respect of which a licence is required under regulation 4 of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994;”.
- (6) In the Meat Hygiene Appeals Tribunal (Procedure) Regulations 1992⁽³⁰⁾—
- (a) for paragraph (2) of regulation 1 there shall be substituted the following—
- “(2) Any reference in these Regulations to a Chairman or Secretary shall be a reference to the Chairman or Secretary appointed for the purposes of regulation 6 of, and Schedule 21 to, the Fresh Meat (Hygiene and Inspection) Regulations 1992 and regulation 6 of, and Schedule 15 to, the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994.”;
- (b) for regulation 2 there shall be substituted the following—
- “2. These Regulations shall have effect for the purpose of proceedings before a Meat Hygiene Appeals Tribunal (“the Tribunal”) relating to the refusal to license premises, or relating to the grant of a licence with conditions unacceptable to the occupier of the premises, or the revocation of a licence issued to the occupier of premises under regulation 4 or 5, as the case maybe, of the Fresh Meat (Hygiene and Inspection) Regulations 1992 and under regulation 4 or 5, as the case may be, of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994.”.
- (7) In regulation 12(2) of the Animals and Animal Products (Import and Export) Regulations 1993⁽³¹⁾ for the words “the Poultry Meat Hygiene Regulations 1976” there shall be substituted the words “the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994”.
- (8) The Meat and Poultry Meat (Staining and Sterilisation) (Scotland) Regulations 1983⁽³²⁾ shall be amended as follows—
- (a) in regulation 28(1)—
- (i) for the words “the Poultry Meat (Hygiene) (Scotland) Regulations 1976” there shall be substituted the words “the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1994”; and
- (ii) for the words “the said Regulations of 1976” there shall be substituted the words “the said Regulations of 1994”;
- (b) in regulation 28(2) for the words “the said Regulations of 1976” there shall be substituted the words “the said Regulations of 1994”.

⁽²⁹⁾ S.I. 1991/2825; to which there are amendments not relevant to these Regulations.

⁽³⁰⁾ S.I. 1992/2921.

⁽³¹⁾ S.I. 1993/3247.

⁽³²⁾ S.I. 1983/704 (S.61); to which there are amendments not relevant to these Regulations.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

29th March 1994.

Gillian Shephard
Minister of Agriculture, Fisheries and Food

Signed by authority of the Secretary of State for Health

7th April 1994

Cumberlege
Parliamentary Under-Secretary of State,
Department of Health

2nd April 1994

Wyn Roberts
Minister of State for Wales

30th March 1994

Hector Monro
Parliamentary Under-Secretary of State, Scottish
Office

SCHEDULE 1

Regulations 4(3)(a), 8(1)(d)

CONSTRUCTION, LAYOUT AND EQUIPMENT OF SLAUGHTERHOUSES,
(EXCEPT LOW THROUGHPUT SLAUGHTERHOUSES), CUTTING
PREMISES (EXCEPT LOW THROUGHPUT CUTTING PREMISES),
COLDSTORES AND REWRAPPING CENTRES-GENERAL REQUIREMENTS

All slaughterhouses, cutting premises, cold stores and rewrapping centres shall have—

1. In rooms where fresh meat is produced, worked on or stored and in areas and corridors through which such meat is transported—

- (a) waterproof flooring which is easy to clean and disinfect, rotproof and laid in such a way as to facilitate the draining of water; the water shall be directed towards drains fitted with gratings and traps to prevent odours. However—
 - (i) in the case of rooms referred to in paragraph 1(e) of Schedule 2, paragraph 1(a) of Schedule 3 and paragraph 1(a) of Schedule 4, directing of water towards drains fitted with gratings and traps shall not be required and, in the case of premises referred to in paragraph 1(a) of Schedule 4, a device with which water may easily be removed shall be sufficient;
 - (ii) in the case of rooms referred to in paragraph 2(a) of Schedule 4 which store only wrapped or packaged meat and in areas and corridors through which fresh meat is transported, waterproof and rotproof flooring shall be sufficient;
- (b) smooth, durable, impermeable walls, with a light-coloured, washable coating up to a height of at least two metres or the height of the room, if lower; in chilling or refrigeration rooms and in stores the walls shall be coated at least to storage height. Wall to floor junctions shall be rounded or similarly finished except in the rooms referred to in paragraph 2(a) of Schedule 4. However, in the rooms referred to in paragraph 2 of Schedule 4 and provided they were built before 1st January 1994, the interior walls may be made of wood;
- (c) door and window frames in hard-wearing, non-corrodible material and, if made of wood, with a smooth and impermeable covering on all surfaces;
- (d) insulation materials which are rotproof and odourless;
- (e) adequate ventilation and extraction of steam;
- (f) adequate natural or artificial lighting which does not distort colours;
- (g) a clean and easily cleaned ceiling; if there is no ceiling, a roof covering with an interior surface which fulfils these conditions.

2. Save for cold stores handling only wrapped and packaged meat—

- (a) as near as possible to, or readily accessible to, the work stations, a sufficient number of facilities for cleaning hands and for cleaning tools with hot water, with taps which are not hand-operable or arm-operable. These facilities shall have hot and cold running water or water premixed to a suitable temperature for washing hands, cleaning products and hygienic means of drying hands; and
- (b) facilities for disinfecting tools, with water at not less than 82°C.

3. Adequate arrangements for protection against pests such as insects and rodents.

- (a) (a) Instruments and working equipment such as automatic equipment for working on meat, cutting tables, tables with detachable cutting surfaces, containers, conveyor belts and saws, made of corrosion-resistant material not liable to taint meat and easy to clean and disinfect. Surfaces coming into, or likely to come into contact with meat, including welds and joins, shall be maintained smooth. Without prejudice to paragraph 1(b) above,

- no wood shall be used except in rooms where the only fresh meat stored is hygienically packaged fresh meat.
- (b) Corrosion-resistant fittings and equipment meeting hygiene requirements for—
 - (i) meat handling,
 - (ii) storing meat, in such a way that neither the meat nor the containers come into direct contact with the floor or walls.
 - (c) Facilities, including suitably laid out and equipped reception and marshalling areas, for the hygienic handling and protection of meat during loading and unloading.
 - (d) Designated watertight non-corrodible containers, with lids and fasteners to prevent unauthorised persons from removing things from them, for keeping meat not intended for human consumption, or a lockable room for such meat if the quantities are large enough to necessitate this or if the meat is not removed or destroyed at the end of each working day; where such meat is removed through conduits, these shall be so constructed and installed as to avoid any risk of contamination of the fresh meat.
 - (e) A room or rooms for the hygienic storage of materials for wrapping and packaging where such activities are carried out in the establishment.
5. Refrigeration equipment to keep the internal temperature of the meat at the levels required by Schedule 12, such equipment to have a drainage system which minimises the risk of contamination of fresh meat.
6. An adequate pressurised supply of potable water within the meaning of Directive [80/778/EEC](#). Non-potable water pipes shall be clearly distinguished from those used for potable water.
7. An adequate supply of hot potable water within the meaning of Directive [80/778/EEC](#).
8. A liquid and solid waste disposal system which meets hygiene requirements.
9. Adequate lockable facilities for the exclusive use of the official veterinary surgeon and the inspectors.
10. Facilities enabling the required veterinary inspections to be carried out efficiently at any time.
11. An adequate number of changing rooms with smooth, waterproof, washable walls and floors, wash basins, showers and flush lavatories so equipped as to protect the clean parts of the building from contamination. The lavatories shall not open directly on to the work rooms. Showers shall not be necessary in cold stores receiving and storing hygienically wrapped or packaged fresh meat only. Wash basins shall have hot and cold running water or water premixed to a suitable temperature, materials for cleaning hands and hygienic means of drying hands. Wash basin taps shall not be hand-operable or arm-operable. There shall be a sufficient number of such wash basins near the lavatories.
12. A place and adequate facilities for cleaning and disinfecting means of transport for meat except in the case of cold stores receiving and storing hygienically packaged fresh meat only. Slaughterhouses shall have a separate place and separate facilities for cleaning and disinfecting means of transport and crates used for birds or rabbits intended for slaughter. However, these places and facilities shall not be compulsory if alternative facilities which are approved by the official veterinary surgeon, are available for the means of transport or crates to be cleaned and disinfected.
13. A suitable room or secure place for the storage of detergents, disinfectants and similar substances.

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SCHEDULE 2

Regulations 4(3)(a), 8(1)(d)

CONSTRUCTION, LAYOUT AND EQUIPMENT OF SLAUGHTERHOUSES, (EXCEPT LOW THROUGHPUT SLAUGHTERHOUSES) ADDITIONAL REQUIREMENTS

1. In addition to the general requirements contained in Schedule 1, slaughterhouses shall have—
 - (a) a room or covered space which is sufficiently large and easy to clean and disinfect for the pre-slaughter inspection provided for in paragraph 9 of Schedule 7;
 - (b) a slaughter room large enough for stunning and bleeding on the one hand, and plucking and any scalding of any birds and skinning of any rabbits on the other, to be carried out in separate places. Any communication between the slaughter room and the room or space referred to in sub-paragraph (a) above other than the narrow opening through which only slaughter birds or rabbits may pass shall have an automatically closing door;
 - (c) an evisceration and preparation room which is large enough for evisceration to be carried out in a place sufficiently far from the other work stations, or separated from them by a partition, so as to prevent contamination. Any communication between the evisceration and preparation room and the slaughter room other than the narrow opening through which only slaughtered birds or rabbits may pass shall have an automatically closing door;
 - (d) where necessary, a dispatching room;
 - (e) one or more sufficiently large chilling or refrigerating rooms, with a lockable facility for fresh meat which has been detained;
 - (f) in the case of premises handling fresh poultry meat or fresh game meat a room or space for collecting feathers except where these are treated as waste;
 - (g) for staff handling live birds or live rabbits, either—
 - (i) separate wash basins and lavatories; or
 - (ii) arrangements to ensure that such staff wash their hands and change their protective clothing before using the changing rooms required by paragraph 11 of Schedule 1.

SCHEDULE 3

Regulations 4(3)(a), 8(1)(d)

CONSTRUCTION, LAYOUT AND EQUIPMENT OF CUTTING PREMISES (EXCEPT LOW THROUGHPUT CUTTING PREMISES) ADDITIONAL REQUIREMENTS

1. In addition to the general requirements contained in Schedule 1, cutting premises shall have—
 - (a) chilling or refrigerating rooms large enough for meat preservation;
 - (b) a room for cutting up, boning and wrapping and, in so far as this operation is carried out in those cutting premises, a room for the evisceration of birds referred to in paragraph 4 of Schedule 9;
 - (c) a room for packaging operations, where such operations are carried out in those cutting premises, unless the conditions provided for in paragraph 5 of Schedule 13 are fulfilled.

SCHEDULE 4

Regulations 4(3)(a), 8(1)(d)

CONSTRUCTION, LAYOUT AND EQUIPMENT OF COLD STORES ADDITIONAL REQUIREMENTS

1. In addition to the general requirements contained in Schedule 1, stores in which fresh meat is stored in accordance with paragraph 1 of Schedule 12 shall have—

- (a) sufficiently large chilling and refrigeration rooms, which are easy to clean and in which fresh meat can be stored at the temperature provided for in paragraph 1 of Schedule 12;
- (b) a recording thermometer or recording telethermometer in or for each storage area.

2. In addition to the general requirements contained in Schedule 1, stores in which fresh meat is stored in accordance with paragraph 2 of Schedule 12 shall have—

- (a) sufficiently large chilling and refrigerating rooms, which are easy to clean and in which fresh meat can be stored at the temperature provided for in paragraph 2 of Schedule 12;
- (b) a recording thermometer or recording telethermometer in or for each storage area.

SCHEDULE 5

Regulations 4(3)(a), 8(1)(d)

CONSTRUCTION, LAYOUT AND EQUIPMENT OF LOW THROUGHPUT SLAUGHTERHOUSES AND LOW THROUGHPUT CUTTING PREMISES

PART I

GENERAL REQUIREMENTS

All low throughput slaughterhouses and low throughput cutting premises shall have—

- 1. in rooms where fresh meat is produced and worked on—
 - (a) waterproof flooring which is easy to clean and disinfect, rotproof and laid in such a way as to facilitate the draining of water; the water shall be directed towards drains fitted with gratings and traps to prevent odours. However, in the case of rooms referred to in paragraph 10 below, a device with which water may easily be removed shall be sufficient;
 - (b) smooth, durable, impermeable walls, with a light-coloured, washable coating up to a height of at least two metres, or the height of the room, if lower. However, in the rooms referred to in paragraph 1 of Schedule 4 and provided they were built before 1st January 1994, the interior walls may be made of wood;
 - (c) doors in easily cleanable, rotproof and odourless material;
 - (d) insulation materials which are rotproof and odourless;
 - (e) adequate ventilation and, if necessary, extraction of steam;
 - (f) adequate natural or artificial lighting which does not distort colours;
 - (a) (a) as near as possible to, or readily accessible to, the work stations, a sufficient number of facilities for cleaning hands and for cleaning tools with hot water. These facilities shall have hot and cold running water or water premixed to a suitable temperature for washing hands, cleaning products and hygienic means of drying hands;
 - (b) facilities in the same room or in an adjacent room for disinfecting tools, with hot water supplied at not less than 82°C;

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3. adequate arrangements for protection against pests such as insects and rodents;
 - (a) (a) instruments and working equipment such as cutting tables, tables with detachable cutting surfaces, containers, conveyor belts and saws, made of corrosion-resistant material, not liable to taint meat and easy to clean and disinfect. Without prejudice to paragraph 1(b) above, no wood shall be used;
 - (b) corrosion-resistant fittings and equipment meeting hygiene requirements for—
 - (i) meat handling,
 - (ii) storing meat, in such a way that neither the meat nor the containers come into direct contact with the floor or walls.
 - (c) designated watertight non-corrodible containers, with lids and fasteners to prevent unauthorised persons from removing things from them, for keeping meat not intended for human consumption; such meat shall be removed or destroyed at the end of each working day;
 - (a) (a) refrigeration equipment to keep the internal temperature of the meat at the levels required by Schedule 12; such equipment to have a drainage system which minimises the risk of contamination of the meat;
 - (b) sub-paragraph (a) of this paragraph shall not apply where meat is removed immediately from that low throughput slaughterhouse for delivery to cutting plants or butcher shops in its immediate vicinity and such transportation does not take more than one hour;
6. an adequate pressurised supply of potable water within the meaning of Directive [80/778/EEC](#). Non-potable water pipes shall be clearly distinguished from those used for potable water;
7. an adequate supply of hot potable water within the meaning of Directive [80/778/EEC](#);
8. an adequate system for the hygienic disposal of waste water;
9. at least one wash basin and flush lavatory. The latter shall not open directly onto the work rooms. The wash basin shall have hot and cold running water or water premixed to a suitable temperature, materials for cleaning hands and hygienic means of drying hands. The wash basin shall be near the lavatory;
 - (a) (a) storage facilities which, subject to sub-paragraph (b) below, satisfy the requirements of paragraphs 1(a), (b) and (c) above, where meat is stored in those premises;
 - (b) in place of the drain referred to in paragraph 1(a) such facilities may have a device, other than a drain, with which water may easily be removed.

PART II

LOW THROUGHPUT SLAUGHTERHOUSES-ADDITIONAL REQUIREMENTS

- (a) (a) In addition to the general requirements contained in Part I of this Schedule, low throughput slaughterhouses shall have—
 - (i) a slaughter room large enough for stunning and bleeding on the one hand, and plucking and any scalding of birds or skinning of rabbits on the other, to be carried out in separate places;
 - (ii) an evisceration and preparation room which is large enough for evisceration to be carried out in a place sufficiently far from other work stations, or separated from them by a partition, so as to prevent contamination;
- (b) notwithstanding sub-paragraph (a) of this paragraph, the room used for the slaughter of birds or rabbits may also be used for the evisceration and preparation of such birds or

rabbits after such room has been cleaned thoroughly and disinfected, after the use for each such operation, so as to minimise the risk of any contamination of meat.

SCHEDULE 6

Regulations 4(3)(a), 8(1)(d)

HYGIENE REQUIREMENTS IN RELATION TO STAFF, PREMISES, EQUIPMENT AND IMPLEMENTS

Requirements applicable to all premises

1. The occupier of any premises shall keep it, or cause it to be kept, in such a state of cleanliness and otherwise so conduct it as to prevent any risk of contamination of any fresh meat therein.

- (a) (a) Staff handling exposed or wrapped fresh meat or working in rooms and areas in which such meat is handled, or transported shall wear clean and easily cleanable headgear, footwear and light-coloured working clothes or other protective clothing. Staff engaged in working on or handling fresh meat shall wear clean working clothes at the commencement of each working day and shall renew such clothing during the day as necessary and wash their hands several times during the working day and each time work is resumed. Persons who have been in contact with sick birds or sick rabbits or infected meat shall immediately afterwards carefully wash their hands and arms with hot water. No person shall smoke in work rooms and store rooms and in other areas and corridors through which fresh meat is transported.
- (b) No animal shall be allowed to enter the establishments except, in the case of slaughterhouses, animals for slaughter. Rodents, insects and other vermin shall be systematically destroyed.
- (c) Equipment and instruments used for handling live birds or rabbits and working on fresh meat shall be kept clean and in a good state of repair. They shall be carefully cleaned and disinfected several times during the working day, at the end of the day's work and before being re-used when they have been soiled.
- (d) Crates for delivering birds or rabbits shall be made of non-corrodible material, be easy to clean and disinfect. They shall be cleaned and disinfected each time they are emptied.

3. Rooms, instruments and working equipment shall not be used for purposes other than work on fresh meat or game meat as authorised in accordance with the Fresh Meat (Hygiene and Inspection) Regulations 1992⁽³³⁾ and Council Directive 92/45/EEC on public health and animal health problems relating to the killing of wild game and the placing on the market of wild-game meat⁽³⁴⁾ or meat preparations or products unless they are cleaned and disinfected before re-use. However, this restriction shall not apply to transport equipment used in relation to meat which is packaged.

4. Meat and containers thereof shall not come into direct contact with the floor.

5. Potable water shall be used for all purposes; however, non-potable water may be used for steam production, fire fighting, cooling refrigeration equipment and removing waste feathers in the slaughterhouse provided that the pipes installed for this purpose preclude the use of such water for other purposes and present no danger of contamination of fresh meat.

6. Sawdust or any other similar substance shall not be spread on the floor of the workrooms or fresh meat storage rooms.

⁽³³⁾ S.I. 1992/2037.

⁽³⁴⁾ OJ No. L268, 14.9.92, p. 35.

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7. Detergents, disinfectants and similar substances shall be used in such a way that instruments, working equipment and fresh meat are not adversely affected. Their use shall be followed by thorough rinsing of such instruments and working equipment with potable water, as necessary, except where the disinfectant or similar substance is specially designed not to be rinsed after application.

8. Persons likely to contaminate meat shall not work on or handle meat.

9. On being recruited, any person working on or handling unpackaged fresh meat shall be required to prove, by a medical certificate, that there is no objection on public health grounds to his engagement in such activities and every such medical certificate shall be produced on request to an official veterinary surgeon or to a veterinary officer.

SCHEDULE 7

Regulations 4(3)(a), 8(1)(a), 12(1)(a),
14(1)(b), 21

PRE-SLAUGHTER HEALTH INSPECTION

1. Subject to paragraph 2 below, the official veterinary surgeon shall authorise the slaughter of a specified group from a holding where—

- (a) the birds or rabbits intended for slaughter are accompanied by a health attestation in the form specified in Schedule 17; or
- (b) not less than 72 hours before the arrival of such birds or rabbits at the slaughterhouse, the official veterinary surgeon was in possession of—
 - (i) a declaration from a veterinary surgeon that the holding is under his supervision, and
 - (ii) the information specified in Part I of Schedule 22 relating to the birds or rabbits in question, ascertained from the records kept by the producer of those birds or rabbits, as the case may be, and set out in a report signed or otherwise authenticated by that producer;
 - (iii) such additional information, as the official veterinary surgeon may request, relating to such birds or rabbits which may include the details specified in Part II of Schedule 22.

2. The official veterinary surgeon shall assess the information referred to in paragraph 1(b) above, supplied by the producer, in determining the steps to be taken with regard to the birds or rabbits coming from the holding of that producer, in particular the type of any pre-slaughter health inspection to be carried out on such birds or rabbits.

3. Where the conditions specified in paragraph 1 above are not satisfied, the official veterinary surgeon of the slaughterhouse may—

- (a) postpone the slaughter, or
- (b) where he feels it necessary to do so for reasons of animal welfare—
 - (i) authorise the slaughter after an inspection of the birds or rabbits in accordance with paragraph 7(b) below, and
 - (ii) arrange for an inspection by an official veterinary surgeon or the veterinary surgeon referred to in paragraph 1(b)(i) above, of the holding of origin of the birds or rabbits in question to ascertain the information referred to in paragraph 1(b) above.

4. In the case of producers who annually fatten or rear not more than 20, 000 domestic fowl, 15,000 ducks, 10,000 turkeys, 10,000 geese, 20,000 rabbits, or an equivalent quantity of other species of bird, the pre-slaughter inspection may be carried out at the slaughterhouse. In such case

the producer shall provide a declaration to the effect that his annual production does not exceed the said figures.

5. The producer shall retain the records referred to in paragraph 7(a) below for a period of two years from the date to which such records relate and upon demand by an authorised officer of the food authority or the Minister submit them to such authorised officer.

6. The pre-slaughter health inspection shall be carried out in adequate lighting.

7. The pre-slaughter health inspection of birds and rabbits on their farm of origin shall comprise—

(a) checking of the producers' records which, depending on the type of birds or rabbits, shall include the following, save that the details specified at items (iv), (viii) and (xii) shall not be required unless specified in writing by the Minister in relation to any particular birds or rabbits:

- (i) day of arrival of the birds or rabbits,
- (ii) source of the birds or rabbits,
- (iii) number of birds or rabbits,
- (iv) actual performance of the particular breeds (e.g. weight gain),
- (v) mortality,
- (vi) suppliers of feedingstuffs,
- (vii) type, period of use and withdrawal periods of feed additives,
- (viii) consumption of feedingstuffs and water,
- (ix) examination and diagnosis of the attending veterinary surgeon engaged by that producer, together with any laboratory results,
- (x) type of any medicinal product, with dates of administration and withdrawal, given to the birds or rabbits,
- (xi) date and type of any vaccines given,
- (xii) weight gain during the fattening period,
- (xiii) results of any previous official pre-slaughter health inspections of birds from the same specified group,
- (xiv) number of birds or rabbits sent for slaughter,
- (xv) expected date of slaughter;

(b) any additional examinations needed to establish whether the birds or rabbits—

- (i) are suffering from a disease which can be transmitted to humans or to animals or are behaving, on an individual or collective basis, in such a way as to indicate that such a disease may occur,
- (ii) show disturbance of general behaviour or signs of sickness which may make the meat unfit for human consumption;

(c) regular sampling of water and feed with a view to checking compliance with withdrawal periods;

(d) the results of tests for zoonotic agents carried out in accordance with Directive [92/117/EEC\(35\)](#).

8. At the slaughterhouse, the official veterinary surgeon shall take all necessary steps to ensure that the birds or rabbits are identified, that the requirements of Chapter II of Directive [91/628/](#)

(35) OJ No. L62, 15.3.93, p. 38.

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EEC(36) have been complied with and that the birds or rabbits are checked for injury during transport.

9. In the case of there being any doubt concerning the identity of a consignment of birds or rabbits or where the birds or rabbits are required to undergo a pre-slaughter health inspection at the slaughterhouse in accordance with paragraph 4 above, the official veterinary surgeon shall examine each crate of the birds or rabbits if the birds or rabbits, as the case may be, show the symptoms referred to in paragraph 7(b) above.

10. Where any birds or rabbits have not been slaughtered within three days of their examination and the issue of the health attestation provided for in paragraph 1(a) above—

- (a) where the birds or rabbits have not left the holding of origin, a new health attestation (in the form specified in Schedule 17) shall be required, or
- (b) the official veterinary surgeon of the slaughterhouse may, after considering the reasons for the delay in slaughtering and on being satisfied, following such further examination he may consider to be necessary of the birds or rabbits, as the case may be, that there is no health risk, authorise the slaughter of those birds or rabbits.

11. Without prejudice to the requirements of Directive **91/494/EEC(37)**, no bird shall be slaughtered for the purpose of human consumption if the clinical symptoms of the following diseases have been established:

- (a) ornithosis,
- (b) salmonellosis.

12. The official veterinary surgeon may, at the request of the producer of the birds referred to in paragraph 11 above, authorise the slaughter of such birds at the end of the current slaughtering period at the slaughterhouse provided that precautions are taken to keep to a minimum the risk of spreading pathogenic micro-organisms and to clean and disinfect the facilities after the slaughter, with the meat of the slaughtered birds being handled as if it were meat declared unfit for human consumption.

13. The official veterinary surgeon shall—

- (a) prohibit slaughter where he has evidence that the meat from the birds concerned would be unfit for human consumption;
- (b) postpone slaughter where the withdrawal period for residues has not been respected;
- (c) ensure, with regard to clinically healthy poultry from a specified group the slaughter of which is obligatory under a programme for the control of infectious disease, that those birds are slaughtered at the end of the current slaughtering period or under conditions such that any contamination of other birds is avoided.

14. The official veterinary surgeon shall immediately notify the food authority and the Minister of any prohibition of slaughter, giving reasons, and provisionally place the birds affected by such slaughter prohibition in safekeeping.

15. Sick or suspect birds or rabbits shall not be slaughtered in the premises except in accordance with an authorisation granted by the official veterinary surgeon. Where such an authorisation is granted, slaughter shall be performed under the supervision of the official veterinary surgeon and steps taken to prevent contamination; the premises shall be specially cleaned and disinfected under such supervision before being used again.

16. No rabbit shall be slaughtered for human consumption if it has been established that—

(36) OJ No. L340, 11.12.91, p. 17.

(37) OJ No. L268, 24.9.91, p. 35.

- (a) the rabbit is suffering from a disease which can be transmitted to humans or animals, or shows symptoms of such a disease, or the general condition of the rabbit is such as to indicate that such a disease may occur;
- (b) the rabbit shows symptoms of a disease or disorder affecting its general condition which may make the meat unfit for human consumption.

17. Any rabbit referred to in paragraph 15 above shall be slaughtered either separately or after the slaughter of all other rabbits, with the meat of that slaughtered rabbit being hygienically disposed of.

SCHEDULE 8

Regulations 4(3)(a), 8(1)(d), 14(1)(a), (c)

HYGIENE REQUIREMENTS FOR SLAUGHTER AND THE HANDLING OF FRESH MEAT

- (a) (a) Only live birds or rabbits may be brought into a slaughterhouse. The birds or rabbits shall, except in the case of slaughter according to a religious rite, be stunned and immediately slaughtered.
 - (b) Notwithstanding sub-paragraph (a) above, dead small wild game may be brought into a slaughterhouse as permitted by Article 3(1)(a) and (b)(ii) of Council Directive [92/45/EEC](#) on public health and animal health problems relating to the killing of game and the placing on the market of wild-game meat⁽³⁸⁾.
2. Bleeding shall be completed and carried out in such a way that the blood cannot cause contamination outside the place of slaughter.
3. Slaughtered birds shall be plucked completely before skinning or cutting and slaughtered rabbits shall be skinned immediately.
4. Evisceration shall be carried out immediately in the case of total evisceration or within the period laid down in paragraph 4 of Part I of Schedule 9 in the case of deferred evisceration. Slaughtered birds or rabbits shall be opened in such a way that the cavities and all the relevant viscera can be inspected. For this purpose the viscera to be inspected may either be detected or left attached to the carcass by their natural connections. If detached, they shall be identifiable as belonging to a given carcass.
5. After inspection, the viscera which has been removed shall be separated immediately from the carcass, and the parts unfit for human consumption removed at once. Viscera or parts of viscera remaining in the carcass shall, with the exception of the kidneys, be removed entirely if practicable, under satisfactory hygienic conditions.
6. Meat shall not be cleaned by wiping with a cloth and the carcass shall not be filled with anything other than edible offal or neck offal from birds or rabbits slaughtered in the slaughterhouse which shall be wrapped in accordance with paragraph 2(c) of Schedule 13.
7. The carcass shall not be cut into portions and the meat shall not be removed or subjected to any process prior to the post-mortem health inspection except with the consent of the official veterinary surgeon who may prescribe any other handling required for the purposes of the post-mortem health inspection.
8. Detained meat, on the one hand, and meat declared unfit for human consumption in accordance with paragraph 1 of Part II of Schedule 9 or not allowed for human consumption in accordance with paragraph 2 of that Part on the other, and feathers and waste shall be removed as soon as possible to the rooms, facilities or containers referred to in paragraph 4(d) of Schedule 1 and paragraph 1(e)

(38) OJ No. L268, 14.9.92, p. 35.

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and (f) of Schedule 2 and shall be handled in such a way so as to ensure that contamination is kept to a minimum.

9. After inspection and evisceration, fresh meat shall immediately be cleaned and chilled hygienically to ensure compliance with the temperature laid down in Schedule 12 as soon as possible.

- (a) (a) Carcasses of birds to be subjected to an immersion chilling process in accordance with the process described in paragraph 11 below shall, immediately after evisceration, be thoroughly washed by spraying and immersed without delay. The spraying shall be carried out by means of equipment which washes both the internal and external surfaces of the carcasses efficiently and in accordance with the requirements of paragraph (b) below.
- (b) For carcasses weighing—
 - (i) not more than 2.5 kg, at least 1.5 litres of water shall be used per carcass,
 - (ii) between 2.5 kg and 5 kg, at least 2.5 litres of water shall be used per carcass,
 - (iii) 5 kg or more, at least 3.5 litres of water shall be used per carcass.

11. The immersion chilling process shall meet the following requirements—

- (a) the carcasses shall pass through one or more tanks of water or of ice and water, the contents of which are continuously renewed. Only a system whereby the carcasses are constantly propelled by mechanical means through a counterflow of water shall be used;
- (b) the temperature of the water in the tank or tanks measured at the points of entry and exit of the carcasses shall not be more than +16°C and +4°C respectively;
- (c) it shall be carried out in such a way that the temperature specified in Schedule 12 is reached in the shortest possible time;
- (d) the minimum flow of water throughout the whole chilling process referred to in sub-paragraph (a) of this paragraph shall be—
 - (i) 2.5 litres per carcass weighing 2.5 kg or less,
 - (ii) 4 litres per carcass weighing between 2.5 kg and 5 kg,
 - (iii) 6 litres per carcass weighing 5 kg or more;
- (e) where there are several tanks, the inflow of fresh water and the outflow of used water in each tank shall be regulated in such a way as to progressively decrease in the direction of movement of the carcasses, the fresh water being divided between the tanks in such a way that the flow of water through the last tank is not less than—
 - (i) 1 litre per carcass weighing 2.5 kg or less,
 - (ii) 1.5 litres per carcass weighing between 2.5 kg and 5 kg,
 - (iii) 2 litres per carcass weighing 5 kg or more.

The water used for first filling the tanks shall not be included in the calculation of these quantities;

- (f) the carcasses shall not remain in the first part of the apparatus or the first tank for more than half an hour or in the rest of the apparatus or the other tank or tanks for longer than is strictly necessary;
- (g) all necessary precautions shall be taken to ensure that, in the event of interruptions of the process, the transit time laid down in the sub-paragraph (f) of this paragraph is complied with; whenever there has been a stoppage of the equipment, the official veterinary surgeon shall satisfy himself prior to re-setting it in motion that the carcasses still meet the requirements of these Regulations and are fit for human consumption and, if such is not the case, ensure that they are transported as soon as possible to the facilities provided for in paragraph 4(d) of Schedule 1;

- (h) each piece of equipment shall be entirely emptied, cleaned and disinfected whenever this is necessary at the end of the period of work and at least once a day;
- (i) calibrated control equipment shall be used that permits adequate and continued supervision of the measuring and recording of—
 - (i) the water consumption during spray-washing before immersion,
 - (ii) the temperature of the water in the tank or tanks at the points of entry and exit of the carcasses,
 - (iii) the water consumption during immersion,
 - (iv) the number of carcasses in each of the weight-ranges listed in sub-paragraphs (d) and (e) of this paragraph and paragraph 10 above;
- (j) the results of the various checks carried out by the producer shall be kept and submitted on request to the official veterinary surgeon;
- (k) the correct functioning of the chilling plant and its effect on the hygiene level shall be evaluated by scientific microbiological methods, the contamination of the carcasses with total bacteria and enterobacteria being compared before and after immersion. Such comparison shall be carried out when the plant is first brought into use and after that periodically and in any case each time any alterations are made to the plant. The functioning of the various parts shall be regulated so as to ensure a satisfactory standard of hygiene;
- (l) notwithstanding the preceding sub-paragraphs of this paragraph, in the case of poultry slaughtered by the Jewish method for the food of Jews, salting and subsequent washing off of the salt, carried out under the supervision of the Local Board of Shechita or, in the absence of any such Board, of a Committee appointed for the purpose by the local Jewish congregation established in accordance with Jewish law, may take place immediately after the carcasses emerge from the first part of the equipment or, where the equipment comprises more than one tank, the first tank. In such cases the period in the first part of the equipment or first tank may be extended to 40 minutes. Any immersion of the carcasses in water for the purposes of soaking, salting and subsequent washing off of the salt shall comply with the requirements of sub-paragraphs (d) and (e) of this paragraph.

12. Adequate arrangements shall be made so as to ensure that until the inspection has been completed, it shall not be possible for carcasses and offal not inspected to come into contact with carcasses and offal already inspected, and that there is no removal, cutting or further treatment of the carcase.

13. Adequate arrangements shall be made so as to ensure that it shall not be possible for meat detained or declared unfit for human consumption or inedible by-products to come into contact with meat declared fit for human consumption, and the former shall be placed as soon as possible in special rooms or containers located and laid out in such a way as to avoid any contamination of other fresh meat.

14. The drawing and trussing, handling, further treatment and transport of meat, including offal, shall be performed in accordance with all hygiene requirements. Where such meat is packaged, the requirement in paragraph 1(d) of Schedule 2 and the conditions laid down in Schedule 13 shall be complied with. Packaged meat shall be stored in a separate room from exposed fresh meat.

SCHEDULE 9

Regulations 4(3)(a), 8(1)(b), 11(1), 12(1)
(b), 14(1)(d)

POST-MORTEM HEALTH INSPECTION

PART I

GENERAL REQUIREMENTS

1. The birds and rabbits shall be inspected immediately after slaughter under suitable lighting and as part of such inspection—

- (a) in the case of birds, the following parts:
 - (i) the surface of the bird's body, excluding head and feet save where these are intended for human consumption;
 - (ii) the viscera; and
 - (iii) the body cavities,shall be subjected to visual inspection and, where necessary, palpation and incision;
- (b) in the case of rabbits, the following shall be carried out:
 - (i) visual inspection of the slaughtered animal;
 - (ii) where necessary, palpation and incision of the lungs, liver, spleen, kidneys and parts of the carcass which have undergone any change;
 - (iii) investigations of anomalies of consistency, colour, smell and, where appropriate, taste;
 - (iv) where necessary, laboratory tests.
- (c) attention shall also be paid to:
 - (i) anomalies of consistency, colour and smell in the carcasses;
 - (ii) major anomalies resulting from slaughtering operations;
 - (iii) proper functioning of the slaughter equipment.

2. In the case of birds, the official veterinary surgeon shall in any event:

- (a) subject to detailed inspection a random sample of the birds rejected in the post-mortem health inspection, the meat of which was declared unfit for human consumption in accordance with paragraph 1 of Part II of this Schedule;
- (b) examine a random sample of the birds taken from the specified group which has undergone the post-mortem inspection, for an inspection of the viscera and the body cavities;
- (c) carry out a detailed post-mortem inspection of the birds if there are other indications that the meat from those birds could be unfit for human consumption.

3. In the case of partly eviscerated birds (“effilé”) whose intestines have been removed immediately, the viscera and the body cavities of at least 5% of the slaughtered poultry from each specified group shall be inspected after evisceration. If during such inspection anomalies are discovered in a number of birds, then all the birds in the specified group shall be inspected in accordance with paragraph 1 above.

4. In the case of birds subjected to delayed evisceration:

- (a) the post-mortem health inspection in accordance with paragraph 1 above shall take place at the latest 15 days after slaughter, during which period they must be kept at a temperature not exceeding +4°C;

- (b) at the end of that period at the latest, they shall be eviscerated in the slaughterhouse where the slaughtering was performed or in an approved cutting plant fulfilling the additional requirements in paragraph 1(b) of Schedule 3 and in the latter case, be accompanied by the health certificate shown in Schedule 20;
 - (c) the poultry meat or farmed game meat shall not not bear the health mark referred to in Schedule 11 before the evisceration referred to in sub-paragraph (b) of this paragraph has been performed.
5. The taking of samples to examine for residues shall be carried out by spot checks and in any case in the event of any justified suspicion. In the case of examination for residues by sampling, examination shall be carried out for the residues referred to in Group A III and Group B I(a) and (c) and II(a) of Annex 1 to Directive [86/469/EEC\(39\)](#), as amended by Decision [89/187/EEC\(40\)](#).
6. The obligation to examine for residues of substances with pharmacological action referred to in the second sub-paragraph of Article 4(1) of Directive [71/118/EEC](#) shall not apply to poultry from holdings under official veterinary control where examination for those residues is carried out on the holdings of origin.
7. Where a disease is suspected on the basis of the pre-slaughter health inspection or post-mortem health inspection, the official veterinary surgeon may ask for the requisite laboratory tests to be carried out if he considers them necessary to substantiate his diagnosis or to detect substances with pharmacological action likely to be present, given the pathological condition observed. In case of any doubt, the official veterinary surgeon may perform any further cuts and inspections of the relevant parts of the birds or rabbits necessary in order to reach a definitive diagnosis.

PART II

INDICATIONS OF UNFITNESS FOR HUMAN CONSUMPTION

- (a) (a) Birds shall be declared totally unfit for human consumption where the post-mortem health inspection reveals any of the following diseases or conditions:
 - generalized infectious disease and chronic localization in organs of pathogenic micro-organisms transmissible to humans,
 - systematic mycosis and local lesions in organs suspected of having been caused by pathogenic agents transmissible to humans or their toxins,
 - extensive subcutaneous or muscular parasitism and systematic parasitism,
 - poisoning,
 - cachexia,
 - abnormal smell, colour or taste,
 - malignant or multiple tumours,
 - general soiling or contamination,
 - major lesions and ecchymosis,
 - extensive mechanical lesions, including those due to extensive scalding,
 - insufficient bleeding,
 - residues of substances exceeding the authorised standards or residues of prohibited substances,
 - ascites.

(39) OJ No. L275, 26.9.86, p. 36.

(40) OJ No. L66, 10.3.89, p. 37.

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- (b) Parts of a slaughtered bird which show localized lesions or contaminations not affecting the health of the rest of the meat shall be declared unfit for human consumption.

2. In the case of birds, the head separated from the carcass with the exception of the tongue, comb, wattles and caruncles and the following viscera shall be excluded from use for human consumption: trachea, lungs and crop separated from the carcass in accordance with paragraph 5 of Schedule 8, oesophagus, intestine and gall bladder.

- (a) (a) Rabbits shall be declared totally unfit for human consumption where the post-mortem health inspection reveals any of the following diseases or conditions:

diseases transmissible to man or animals;
malignant or multiple tumours; multiple abscesses;
extensive parasitic infestation in the subcutaneous or muscle tissues;
presence of residues of forbidden substances or residues in excess of permitted Community levels, including substances with a pharmacological effect;
poisoning,
extensive injuries or extensive blood or serum imbibition;
anomalies as regards colour, smell or taste;
anomalies as regards consistency, particularly oedema or severe emaciation.

- (b) Parts of slaughtered rabbits which show localized lesions or contaminations not affecting the health of the rest of the meat shall be declared unfit for human consumption.

SCHEDULE 10

Regulations 4(3)(a), 8(1)(d)

PROVISIONS CONCERNING MEAT INTENDED FOR CUTTING

1. The carcass shall be cut up into parts and boned only in licensed cutting premises.
2. The occupier shall facilitate operations for the supervision of the plant, in particular any handling which is considered necessary, and shall place the necessary facilities at the disposal of the persons carrying out such supervision under these Regulations. In particular, he shall on request inform the official veterinary surgeon responsible for supervision, of the source of the meat brought into his cutting plant and the origin of the birds or rabbits slaughtered.
3. Meat which does not fulfil the requirements of these Regulations shall not be placed in licensed cutting premises except in special storage areas; it shall be cut up in other places or at other times than meat which fulfil those requirements. The official veterinary surgeon shall at all times have access to all storage rooms and work rooms in order to satisfy himself that the preceding provisions of this Schedule are rigorously observed.
4. Fresh meat intended for cutting shall, as soon as it is brought in, be placed in the cutting room or, until cut up, in the room provided for in paragraph 1(a) of Schedule 3. However, notwithstanding paragraph 9 of Schedule 8, meat may be transported directly from the slaughter room to the cutting room. In such cases the slaughter room and the cutting room shall be sufficiently near to each other and located in the same group of buildings, since the meat to be cut shall be transferred in one operation from one room to the other by means of an extension of the mechanical handling system from the slaughter room, and cutting shall be carried out immediately. As soon as the prescribed cutting and packaging are completed, the meat shall be transported to the chilling room provided for in paragraph 1(a) of Schedule 3.

5. Meat shall be brought into the rooms referred to in paragraph 1(b) of Schedule 3 as required. As soon as cutting and, where appropriate, packaging are completed, the meat shall be transported to the chilling room provided for in paragraph 1(a) of Schedule 3.

6. Except in the case of meat cut while warm in accordance with paragraph 4 above, cutting may take place only if the meat has reached a temperature not exceeding +4°C.

7. Fresh meat shall not be cleaned by wiping with a cloth.

8. Cutting shall be carried out in such a way so as to avoid any soiling of the meat. Splinters of bone and clots of blood shall be removed. Meat obtained from cutting and not intended for human consumption shall be collected in the containers or rooms referred to in paragraph 4(d) of Schedule 1 as it is cut.

SCHEDULE 11

Regulations 8(1)(c), 12(3), 14(1)(e), (3)(c),
15(1)(e)

HEALTH MARKING

1. Subject to paragraph 4 below, the health mark shall include:

(a) for meat wrapped in individual units or for small packages—

(i) on the upper part, the initials “UK”;

(ii) in the centre, the veterinary approval number of the establishment or, where appropriate, the cutting premises or re-wrapping centre;

(iii) on the lower part, the initials “EEC”;

The letters and figures shall be 0.2 centimetres high;

(b) for large packages, an oval mark at least 6.5 cm wide by 4.5 cm high, including the information listed under sub-paragraph (a) of this paragraph. The letters shall be at least 0.8 cm high and the figures at least 1 cm high.

2. The health marking may, in addition, include an indication enabling the official veterinary surgeon who carried out the health inspection of the meat to be identified.

3. The material used for marking shall meet all hygiene requirements and the information referred to in paragraph 1(a) above shall appear on it in perfectly legible form.

4. In the case of fresh meat produced in low throughput premises the health mark shall consist of:

(a) for meat wrapped in individual units or for small packages, a square mark, containing in legible form in letters and figures 0.2 cm high the following information:

(i) on the upper part, the letters “UK”;

(ii) in the centre, the approval number of the premises; and

(iii) on the lower part, the letter “N”;

(b) for large packages, a square mark 5.5 cm by 5.5 cm, containing in legible form in letters 0.8 cm high and figures 1 cm high the information listed under sub-paragraph (a) of this paragraph.

(a) (a) The health marking referred to in paragraphs 1(a) and 4(a) above shall be made:

(i) on or legibly beneath wrapping or packaging of individually packed carcasses,

(ii) on non-individually wrapped carcasses by apposition of a seal or label, which may be used only once,

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- (iii) on or legibly beneath wrapping or other packaging of parts of carcasses or offal wrapped in small quantities.
 - (b) The health marking referred to in paragraphs 1(b) and 4(b) above shall be made on large packages containing carcasses, parts of carcasses or offal marked in accordance with sub-paragraph (a) of this paragraph.
 - (c) Where a health marking appears on the wrapping or packaging:
 - (i) it shall be applied in such a way that it is destroyed when the wrapping or packaging is opened, or
 - (ii) the wrapping or packaging shall be sealed in such a way that it cannot be re-used after opening.
- 6.** Subject to paragraph 7 below, in cases where the poultry come from a holding which is placed under animal health restrictions in connection with a poultry disease or which is situated in an area which has been declared an avian influenza or Newcastle disease infection area, the health mark referred to in paragraph 1 above shall be—
- (a) over stamped in such a way that it is covered by a diagonal cross consisting of two straight lines crossing at right angles, with the point of intersection in the centre of the stamp and the information thereon remaining legible; or
 - (b) replaced by a single mark, consisting of the health mark referred to in paragraph 1, over stamped in accordance with sub-paragraph (a) of this paragraph.
- (a) (a) In the event of an outbreak of Newcastle disease, the health mark referred to in paragraph 1 above may be applied to poultry meat which is obtained from poultry which—
- (i) comes from a holding within a surveillance zone as defined in Article 9(1) of Council Directive 92/66/EEC⁽⁴¹⁾ and in respect of which no contact with an infected holding has been recorded following an epidemiological investigation;
 - (ii) comes from a flock in respect of which a virological examination giving a negative result has been carried out by a specified officer on a representative sample of that flock no more than five days before consignment of any of that flock;
 - (iii) comes from a holding where no signs or clinical symptoms have been found to indicate the presence of Newcastle disease following clinical examination by a specified officer which shall be carried out not more than 24 hours before consignment of the poultry;
 - (iv) is transported directly from the holding of origin to the slaughterhouse using a means of transport which is sealed by a specified officer and which shall be cleaned and disinfected before and after each transportation;
 - (v) is examined in the slaughterhouse at the time of the pre-slaughter health inspection or the post-mortem health inspection with a view to detect symptoms of Newcastle disease.
- (b) In this paragraph “specified officer” means a veterinary inspector appointed by the Minister under the Animal Health Act 1981⁽⁴²⁾.
- 8.** The health marking of carcasses, parts of carcasses or offal as provided for in paragraph 5(a) above shall not be necessary in the following cases:
- (a) consignments of carcasses, including those which have had parts removed pursuant to paragraphs 1(b) and 3(b) of Part II of Schedule 9, dispatched from a licensed

⁽⁴¹⁾ OJ No. L260, 5.9.92, p. 1.

⁽⁴²⁾ 1981 c. 22.

slaughterhouse to a licensed cutting premises for cutting therein subject to the following conditions:

- (i) the large packaging containing the fresh meat shall bear, on the external surface, the health mark in accordance with paragraphs 5(a)(iii) and 5(c) above;
 - (ii) the dispatch office shall maintain a record of the amount, type and destination of consignments dispatched in accordance with these Regulations;
 - (iii) the recipient cutting premises shall maintain a record of the amount, type and origin of consignments received in accordance with these Regulations;
 - (iv) the health mark on the large packaging shall be destroyed when the large packaging is opened in cutting premises under the supervision of the official veterinary surgeon;
 - (v) the destination and intended use of the consignment shall be clearly indicated on the external surface of the large packaging in accordance with this paragraph and with Schedule 21;
- (b) consignments of carcasses, including those which have had parts removed pursuant to paragraph 1(b) and 3(b) of Part II of Schedule 9, parts of carcasses and the following offal: hearts, livers and gizzards, dispatched from a licensed slaughterhouse, cutting premises or rewrapping centre to a meat product establishment for preparation, subject to the following conditions:
- (i) the large packaging containing the fresh poultry meat shall bear, on the external surface, the health mark in accordance with paragraphs 5(a)(iii) and 5(c) above;
 - (ii) the dispatch office shall maintain a record of the amount, type and destination of consignments dispatched in accordance with these Regulations;
 - (iii) the recipient meat and meat product establishment shall maintain a record of the amount, type and origin of consignments received in accordance with these Regulations;
 - (iv) when the fresh meat is intended for use in meat products for intra-Community trade, the health mark of the large packaging shall be destroyed when the large packaging is opened in an establishment under the supervision of the food authority;
 - (v) the destination and intended use of the consignment shall be clearly indicated on the external surface of the large packaging in accordance with this paragraph and with Schedule 21;
- (c) consignments of carcasses, including those which have had parts removed pursuant to paragraph 1(b) and 3(b) of Part II of Schedule 9, dispatched from a licensed slaughterhouse, re-wrapping centre or cutting premises to restaurants, canteens and institutions for direct supply to the final consumer after heat treatment, subject to the following conditions:
- (i) the packaging containing the fresh poultry meat shall bear, on the external surface, the health mark in accordance with paragraphs 5(a)(iii) and 5(c) above;
 - (ii) the dispatch office shall maintain a record of the amount, type and destination of consignments despatched in accordance with these Regulations;
 - (iii) the recipient outlet shall maintain a record of the amount, type and origin of consignments received in accordance with these Regulations;
 - (iv) those outlets shall be subject to control by a food authority, which shall be given access to the records kept;
 - (v) the destination and intended use of the consignment shall be clearly indicated on the external surface of the large packaging in accordance with this paragraph and with Schedule 21.

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SCHEDULE 12

Regulations 4(3)(a), 8(1)(d), 14(1)(g)

STORAGE

1. After the chilling provided for in paragraph 9 of Schedule 8, fresh meat shall be kept at a temperature which may not at any time exceed +4°C.
2. Frozen meat shall be kept at a temperature which may not at any time exceed –12°C.
3. Unpackaged fresh meat shall be stored separately from packaged fresh meat.

SCHEDULE 13

Regulations 4(3)(a), 8(1)(d), 14(1)(h)

WRAPPING AND PACKAGING OF FRESH MEAT

- (a) (a) Packaging (for example packing cases, cardboard boxes) shall fulfil all rules of hygiene, and in particular:
 - (i) shall not alter the organoleptic characteristics of the meat,
 - (ii) shall not be capable of transmitting to the meat substances harmful to human health,
 - (iii) shall be strong enough to ensure effective protection of the meat during transportation and handling;
 - (b) packaging shall not be re-used for meat unless it is made of corrosion-resistant materials which are easy to clean and has been previously cleaned and disinfected.
 - (a) (a) Where cut fresh meat or offal is wrapped, that operation shall be carried out immediately after cutting and in accordance with the requirements of hygiene.
 - (b) Wrapping shall be transparent and colourless or, in the case of coloured transparent wrapping, designed in such a way as to leave the wrapped meat or offal partially visible. It shall also fulfil the conditions of paragraph 1(a)(i) and (ii) above; it shall not be used again for wrapping meat.
 - (c) Parts of birds, rabbits or offal separated from the carcass shall always be wrapped in a firmly sealed protective covering satisfying the above criteria.
3. Wrapped meat shall be packaged.
 4. However, when wrapping fulfils all the protective conditions of packaging it need not be transparent and colourless and placing in a second container shall not be necessary provided that the other conditions of paragraph 1 above are fulfilled.
 5. Cutting, boning, wrapping and packaging operations shall not take place in the same room unless the packaging is re-usable as described in paragraph 1(b) above or where the following conditions are satisfied:
 - (a) the room shall be sufficiently large and so arranged that the hygiene of the operations is assured;
 - (b) the packaging and wrapping shall be enclosed in a sealed protective covering immediately after manufacture; this covering shall be protected from damage during transport to the licensed premises and stored under hygienic conditions in a separate room in such premises;
 - (c) the rooms for storing packaging material shall be dust and vermin-free and have no air connection with rooms containing substances which might contaminate fresh meat. Packaging shall not be stored on the floor;

- (d) packaging shall be assembled under hygienic conditions before being brought into the room;
 - (e) packaging shall be hygienically brought into the room and used without delay. It shall not be handled by staff handling fresh meat;
 - (f) immediately after packaging the meat shall be placed in the storage room provided.
6. The packaging referred to in this Schedule may contain only fresh meat.

SCHEDULE 14

Regulations 8(1)(d), 14(1)(i)

TRANSPORT

1. In relation to the fresh meat of birds—
- (a) fresh meat shall be transported by means of transport fitted with a hermetic closing system or, in the case of such fresh meat imported from or transiting through a third country, in a sealed means of transport, designed and equipped in such a way that the temperatures specified in Schedule 12 are maintained throughout transportation;
 - (b) means of transport intended for transporting such fresh meat shall meet the following requirements:
 - (i) their inside surfaces shall be smooth and easy to clean and disinfect;
 - (ii) they shall be provided with efficient devices for protecting the meat against insects and dust and be watertight;
 - (c) means of transport intended for transporting meat shall in no case be used for transporting live animals or any products likely to affect or contaminate meat;
 - (d) no other product likely to affect the hygiene of the fresh meat or to contaminate it shall be transported at the same time as the fresh meat in the same means of transport. Packaged meat shall be transported in separate means of transport from unpackaged meat unless an adequate physical separation within the same means of transport is provided so as to protect the unpackaged meat;
 - (e) fresh meat shall not be transported in a vehicle or container which is not clean and has not been disinfected;
 - (f) the occupier shall ensure that transport vehicles and loading conditions are such as to enable the hygiene requirements of this Schedule to be complied with.
2. Rabbit meat shall be dispatched in such a way that during transport it is protected from anything liable to contaminate it or to affect it unfavourably, having regard to the duration and conditions of transport and to the means of transport employed. In particular, vehicles used for such transport shall be equipped in such a way as to ensure that the temperatures laid down in paragraphs 1 and 2 of Schedule 12 are not exceeded.

SCHEDULE 15

Regulation 6(2)

MEAT HYGIENE APPEALS TRIBUNAL

1. Each Tribunal shall consist of a Chairman or a Deputy Chairman and two other members.

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2.—(1) The Chairman or Deputy Chairman shall be an independent person appointed by the Minister.

(2) One member shall be a person nominated by the Royal College of Veterinary Surgeons, who shall not be a member of the State Veterinary Service nor an official veterinary surgeon.

(3) One member shall be a person whom the Minister considers to be representative of the interests of licensed premises.

3. Each Tribunal may be serviced by a Secretary and such other staff as the Minister may appoint.

4. The terms of appointment and the remuneration of the members, secretary and other staff of a Tribunal shall be determined by the Minister.

SCHEDULE 16

Regulation 2(1)

QUALIFICATIONS OF INSPECTORS

1. Registered Medical Practitioner.

2. Member of the Royal College of Veterinary Surgeons.

3. The holder of any of the qualifications specified in paragraph 3 of the Schedule to the Authorised Officers (Meat Inspection) Regulations 1987(43), who has undertaken a further course of training in poultry meat hygiene and inspection acceptable to the Minister.

4. The holder of a valid—

- (a) Certificate in Poultry Meat Inspection of the Royal Society for the Promotion of Health; or
- (b) Certificate of the former Royal Sanitary Association of Scotland; or
- (c) Certificate in Poultry Meat Inspection of the Royal Environmental Health Institute of Scotland; or
- (d) Certificate or other qualification in poultry meat inspection obtained in the United Kingdom or another member State of the European Community which the Minister has confirmed in writing as adequate for appointment as an inspector under these Regulations.

(43) S.I. 1987/133; to which there is an amendment not relevant to these Regulations.

SCHEDULE 17

Regulation 12(1)(a) and Schedule 7,
paragraph 1(a)

MODEL

HEALTH ATTESTATION ⁽¹⁾

For birds or rabbits transported from the holding to the slaughterhouse

Food Authority

I. Identification of animals

Animal species:

Number of animals:

Identification mark:

II. Origin of animals

Address of holding of origin:

III. Destination of animals

The animals will be transported to the following slaughterhouse

by the following means of transport:

IV. Attestation

I, the undersigned, veterinary surgeon, attest that the animals described above were examined before slaughter on the above-mentioned holding at (time) on (date) and in my opinion there are no reasons why they should not be slaughtered for human consumption.

(Place), (Date)

(Signature of veterinary surgeon)

⁽¹⁾ This certificate is valid for 72 hours.

SCHEDULE 18

Regulation 15(1)

MODEL

HEALTH CERTIFICATE

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

For fresh poultrymeat/farmed feathered game meat ⁽¹⁾

No ⁽²⁾:

Place of loading:

Ministry:

Department:

Reference ⁽³⁾:

I. Identification of meat

Meat of:
(Animal species)

Nature of cuts:

Nature of packaging:

Number of cuts or packages:

Month(s) and year(s) when frozen:

Net weight:

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s):

.....

.....

Address(es) and veterinary approval number(s) of the approved cutting plant(s):

.....

.....

Address(es) and veterinary approval number(s) of the approved cold store(s):

.....

.....

III. Destination of meat

The meat will be sent from:
(Place of loading)

to:
(Country and place of destination)

by the following means of transport ⁽³⁾:

Name and address of consignor:

.....

Name and address of consignee:

.....

IV. Attestation

I, the undersigned, official veterinarian/official veterinary surgeon certify that:

- (a) the poultrymeat [or farmed feathered game meat] described above satisfies the requirements of Council Directive 91/494/EEC of 26th June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of

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fresh poultrymeat and also the requirements of the second sub-paragraph of Article 3(A)(1) of that Directive, if such meat is destined for a Member State or region of a Member State that is recognised as being free of Newcastle disease;

- (b) the poultrymeat [or farmed feathered game meat] described above ⁽¹⁾,
the packaging of the meat described above ⁽²⁾,

bear a mark proving that:

- the meat comes from animals slaughtered in approved slaughterhouses ⁽³⁾
the meat was cut in an approved cutting plant ⁽⁴⁾;

- (c) this meat has been passed as fit for human consumption following a veterinary inspection carried out in accordance with Council Directive 71/118/EEC of 15th February 1971 on health problems affecting trade in fresh poultrymeat or Council Directive 91/495/EEC of 27th November 1990 concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat;

- (d) the transport vehicles or containers and the loading conditions of this consignment meet the hygiene requirements laid down in Directive 71/118/EEC.

(Place) (Date)

.....

(Name and signature of the official veterinarian/official veterinary surgeon)

- ⁽¹⁾ Fresh poultrymeat: fresh meat from the following species: domestic hens, turkeys, guinea fowl, ducks, geese; farmed feathered game meat: fresh meat from the following species: quail, pigeons, pheasants and partridges which have not been treated to ensure their preservation; however, chilled and frozen meat shall be considered to be fresh meat.
- ⁽²⁾ Optional.
- ⁽³⁾ In the case of rail trucks and lorries, state the registration number, in the case of aircraft the flight number, and in the case of boats, the name and, where necessary, the number of the container.
- ⁽⁴⁾ Delete as appropriate.

SCHEDULE 19

Regulation 15(1)

MODEL

PUBLIC HEALTH CERTIFICATE

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(d) the transport vehicles or containers and the loading conditions of this consignment meet the hygiene requirements laid down in that Directive.

Done at, on

(signature of official veterinarian/official veterinary surgeon)

- (1) Fresh rabbit meat which has not been treated to ensure its preservation; however, rabbit meat which has been chilled or frozen shall be considered to be fresh.
- (2) Optional.
- (3) For railway wagons and lorries the registration number, for aircraft the flight number and for ships the name should be given.
- (4) Delete as appropriate.

SCHEDULE 20

Regulation 8(1)(b) and Schedule 9, Part I, paragraph 4(b)

MODEL

HEALTH ATTESTATION FOR DELAYED EVISCERATION OF BIRDS INSEPARATE CUTTING PREMISES

For the bodies of birds for delayed evisceration transported to a cutting plant which is equipped with a separate room for evisceration

Local Authority

I. Identification of uneviscerated bodies

Species:

Number of uneviscerated bodies:

II. Origin of uneviscerated bodies

Address of slaughterhouse

III. Destination of uneviscerated bodies

The uneviscerated bodies will be transported to the following cutting plant:

IV. Attestation

I, the undersigned, official veterinary surgeon, attest that the uneviscerated bodies described above are of birds whose slaughter was subjected to a pre-slaughter health inspection in accordance with Schedule 7 and following this inspection passed as fit for slaughter for human consumption.

(Place), (Date)

(Signature of official veterinary surgeon)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 21

Regulations 12(3) and 14(1)(e) and
Schedule 11, paragraphs 8(a)(v), (b) (v),
(c)(v)

INDICATION TO BE APPLIED TO LARGE PACKAGING

Intended use: cutting/heat treatment ⁽¹⁾

Address of destination:

.....

.....

⁽¹⁾ Delete as appropriate

SCHEDULE 22

Regulation 2(1)

INFORMATION TO BE SUPPLIED BY PRODUCER

PART I

PRODUCTION REPORT

The production report referred to in paragraph 1(b)(ii) of Schedule 7 shall contain at least the following information:

1. Holding of origin.
2. Intended date of arrival at slaughterhouse.
3. Expected number of birds or rabbits in specified group.
4. Mortality data.
5. Details of any disease diagnosed and the results of any laboratory examination.
6. Details of any medication given.

PART II

ADDITIONAL INFORMATION

The additional information referred to at paragraph 1(b)(iii) of Schedule 7 may consist of the following:

1. Suppliers of feeding stuffs.
2. Hatchery details.
3. Any available information on growth rates and breed performance.
4. Results of previous post-mortem inspections at the slaughterhouse on birds or rabbits from the same specified group.
5. Feed additives and vaccines used.

SCHEDULE 23

Regulation 26

REVOCATIONS

(1) Regulations revoked	(2) References	(3) Extent of revocation
1. The Poultry Meat (Hygiene) Regulations 1976	S.I. 1976/1221	The whole Regulations
2. The Poultry Meat (Hygiene) (Amendment) Regulations 1979	S.I. 1979/693	The whole Regulations
3. The Poultry Meat (Hygiene) (Amendment) Regulations 1981	S.I. 1981/1168	The whole Regulations
4. The Food (Revision of Penalties) Regulations 1982	S.I. 1982/1727	The reference to the Poultry Meat (Hygiene) Regulations 1976 in Schedule 2
5. The Food (Revision of Penalties) Regulations 1985	S.I. 1985/67	The reference to the Poultry Meat (Hygiene) Regulations 1976 in Part II of the Schedule
6. The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990	S.I. 1990/2486	Regulation 18(5) and the references to the Poultry Meat (Hygiene) Regulations 1976 in Schedule 4 Part I, Schedules 5 and 10
7. The Poultry Meat (Hygiene) (Amendment) Regulations 1992	S.I. 1992/2036	The whole Regulations
8. The Poultry Meat (Hygiene) (Amendment) Regulations 1993	S.I. 1993/209	The whole Regulations
9. The Poultry Meat (Hygiene) (Scotland) Regulations 1976	S.I. 1976/1221 (S.103)	The whole Regulations
10. The Poultry Meat (Hygiene) (Scotland) Amendment Regulations 1979	S.I. 1979/768 (S.71)	The whole Regulations
11. The Poultry Meat (Hygiene) (Scotland) Amendment Regulations 1981	S.I. 1981/1168 (S.119)	The whole Regulations
12. The Food (Revision of Penalties and Mode of Trial) (Scotland) Regulations 1985	S.I. 1985/1068 (S.87)	The reference to the Poultry Meat (Hygiene) (Scotland) Regulations 1976 in Schedule 1 Part I
13. The Food Safety Act 1990 (Consequential	S.I. 1990/2625 (S.220)	The reference to the Meat (Hygiene) (Scotland)

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(1) Regulations revoked	(2) References	(3) Extent of revocation
Modifications) (Scotland) Order 1990		Regulations 1976 in Schedule 3 Part I and Schedule 7
14. The Poultry Meat (Hygiene) (Scotland) Amendment Regulations 1992	S.I. 1992/2061 (S.208)	The whole Regulations
15. The Poultry Meat (Hygiene) (Scotland) Amendment Regulations 1993	S.I. 1993/235 (S.17)	The whole Regulations

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to Great Britain, give effect to the provisions of Council Directive [71/118/EEC](#), and Council Directive [91/495/EEC](#) (both defined in regulation 2(1)), and in part to the provisions of Council Directive [91/494/EEC](#) on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat (OJ No. L268, 24.9.91, p. 35), as amended by Council Directive [93/121/EEC](#) (OJ No. L340, 31.12.93, p. 39). They revoke and replace the Regulations specified at items 1 to 3, 7 to 11, 14 and 15 in Schedule 23.

The powers conferred upon the Ministers by section 2(2) of the European Communities Act 1972 ([1972 c. 68](#)) are being exercised so far as is required to give effect to specified requirements as to the welfare of poultry and for the amendment and revocation of Regulations made in exercise of powers under that section.

The Regulations do not apply to premises where fresh meat is cut up, stored or re-wrapped for sale direct to the final consumer; premises with an annual production of less than 10,000 birds or rabbits and cold stores (subject to specified restrictions); fresh meat intended for exhibitions; special studies or analyses, or for sale to international organisations; and fresh meat not intended for human consumption (regulation 3).

The Regulations—

- (a) prohibit the use of any premises as a slaughterhouse, cutting premises, cold store or re-wrapping centre unless they are licensed and make provision for the issue, on application, of licences by the Minister (regulation 4);
- (b) provide for the revocation of licences (regulation 5);
- (c) provide for an Appeals Tribunal to hear appeals against refusals to licence, conditions imposed on the grant of licences, and revocations of licences (regulation 6);
- (d) subject to a specified exemption, prohibit the use of a slaughterhouse for slaughtering a bird or rabbit not intended for sale for human consumption (regulation 7);
- (e) require every food authority to appoint official veterinary surgeons and inspectors to supervise licensed premises (regulation 8);

- (f) provide for the designation by the Minister of official veterinary surgeons, their vocation and suspension of such designations, and specify the powers of official veterinary surgeons (regulations 9 and 10);
- (g) provide for the authorisation by the Minister of persons as plant inspection assistants and for the revocation and suspension of such authorisations (regulation 11);
- (h) require food authorities to arrange for the carrying out of pre-slaughter health inspections and post-mortem health inspections of birds and rabbits and also make provision in relation to the application of the health mark, and prohibit the use of a mark resembling a health mark likely to deceive (regulation 12);
- (i) prohibit the slaughter of a bird or rabbit for human consumption without giving the food authority at least 72 hours, or other shorter period as agreed with the food authority, advance notice except where such slaughter is at a fixed time and day in accordance with a regular practice (regulation 13);
- (j) specify the conditions to be complied with in relation to the sale of fresh meat for human consumption and, subject to specified exceptions, prohibit the sale of such meat unless those conditions are complied with (regulation 14);
- (k) specify the documents necessary when transporting fresh meat (regulation 15);
- (l) enable an official veterinary surgeon or inspector to prohibit slaughter in specified circumstances and provide for authorisation of slaughter subject to conditions (regulation 16);
- (m) require official veterinary surgeons to keep specified records and also require them to notify the presence of specified diseases, and require food authorities to keep specified records and supply copies to the Minister on request (regulation 17);
- (n) specify the duties of occupiers and producers (regulations 18 and 19);
- (o) create offences and prescribe penalties (regulation 20);
- (p) enable food authorities to recover specified costs from producers (regulation 21);
- (q) require food authorities to supply specified information to the Minister (regulation 22);
- (r) provide defences in relation to exports (regulation 23);
- (s) specify the enforcement authorities and make provision for the application of various provisions of the Food Safety Act 1990 (regulations 24 and 25);
- (t) amend specified Regulations (regulation 26).

A Compliance Cost Assessment in relation to these Regulations has been placed in the libraries of both Houses of Parliament and copies can be obtained from the Meat Hygiene Division of the Ministry of Agriculture, Fisheries and Food, Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF.