
STATUTORY INSTRUMENTS

1995 No. 3205

FOOD

**The Minced Meat and Meat Preparations
(Hygiene) Regulations 1995**

<i>Made</i>	- - - -	<i>8th December 1995</i>
<i>Laid before Parliament</i>		<i>8th December 1995</i>
<i>Coming into force</i>	- -	<i>1st January 1996</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly, in relation to England and Wales, and the Secretary of State for Scotland in relation to Scotland, in exercise of the powers conferred on them by sections 5(6), 6(4) and (6), 16(1)(b), (c), (d), (e) and (f), 2(a) and (3), 17(1), 26, 48(1) and 49(2) of the Food Safety Act 1990(1) and of all other powers enabling them in that behalf, after consultation in accordance with section 48(4) of that Act with such organisations as appear to them to be representative of interests likely to be substantially affected by the Regulations, hereby make the following Regulations:—

PART I
PRELIMINARY

Title and commencement

1. These Regulations may be cited as the Minced Meat and Meat Preparations (Hygiene) Regulations 1995 and shall come into force on 1st January 1996.

Interpretation

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

“the Act” means the Food Safety Act 1990;

“approval authority” means—

(a) in relation to combined premises, the Minister; and

(b) in relation to other premises, the food authority in whose area they are situated;

(1) 1990 c. 16; “the Ministers” is defined in section 4(1) of the Act. Section 6(4) was amended by the Deregulation and Contracting Out Act 1994 (c. 40), section 31 and Schedule 9, paragraph 6.

“approved” in relation to any premises, means approved under these Regulations and “approval” has a corresponding meaning;

“cold store” means any premises which store minced meat or meat preparations under refrigerated conditions;

“cold treatment” means treatment by refrigeration;

“combined premises” means—

- (a) any premises where minced meat or meat preparations are produced and which share a common curtilage with any licensed premises; or
- (b) in relation to cold stores, any licensed cold store which stores both fresh meat and unpackaged minced meat or meat preparations;

“contravention” in relation to any provision of these Regulations, includes a failure to comply with that provision, and “contravenes” has a corresponding meaning;

“EEA Agreement” means the Agreement on the European Economic Area⁽²⁾ signed at Oporto on 2 May 1992, as adjusted by the Protocol⁽³⁾ signed at Brussels on 17 March 1993;

“EEA State” means a State which is a Contracting Party to the EEA Agreement;

“enforcement authority” is to be construed in accordance with regulation 12;

“farmed game” means wild land mammals which are reared and slaughtered in captivity, excluding—

- (a) mammals of the family *Leporidae*; and
- (b) wild land mammals living within an enclosed territory under conditions of freedom similar to those enjoyed by wild game;

“farmed game bird meat” means the meat of birds, including ratites, but excluding poultry, which are not generally considered domestic but which are bred, reared and slaughtered in captivity;

“farmed game meat” means meat obtained from farmed game;

“final consumer” means a person who buys minced meat or meat preparations—

- (a) otherwise than for the purpose of resale;
- (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 direct transport to 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 the premises;

“food authority” includes a port health authority;

“the Fresh Meat Regulations” means the Fresh Meat (Hygiene and Inspection) Regulations 1995⁽⁴⁾;

“health mark” means a mark of a kind described in Schedule 7 and applied in accordance with regulation 7(1)(e) or 8(1)(h), as the case may be, and that Schedule;

“the Hygiene Regulations” means the Fresh Meat Regulations, the Poultry Meat Regulations or the Wild Game Meat Regulations;

“independent premises” means any premises which are not licensed premises or premises approved under the Meat Products Regulations;

⁽²⁾ OJ No. L1, 3.1.94, p.1.

⁽³⁾ OJ No. L1, 3.1.94, p.571.

⁽⁴⁾ [S.I. 1995/539](#).

“industrial premises” means any establishment which produces minced meat or, even if no minced meat is produced, whose total production of meat products and meat preparations exceeds 7.5 tonnes per week;

“licensed” means licensed under the Hygiene Regulations;

“meat” means parts of animals, excluding solipeds, or birds which are suitable for human consumption and have been—

- (a) produced in establishments licensed under, and given a health mark in accordance with, the Hygiene Regulations; or
- (b) imported and examined in accordance with the Products of Animal Origin (Import and Export) Regulations 1992⁽⁵⁾;

“meat preparation” means meat to which foodstuffs, seasonings or additives have been added or which has undergone a treatment insufficient to modify its internal cellular structure and so alter its characteristics;

“meat product” means any product, intended for human consumption, prepared from or with meat which has undergone treatment such that the cut surface shows that the product no longer has the characteristics of fresh meat, but does not include—

- (a) meat which has undergone only cold treatment;
- (b) minced meat;
- (c) meat preparations; or
- (d) mechanically recovered meat;

“the Meat Products Regulations” means the Meat Products (Hygiene) Regulations 1994⁽⁶⁾;

“mechanically recovered meat” means meat which—

- (a) comes from residual meat on bones apart from
 - (i) the bones of the head; and
 - (ii) the extremities of the limbs below the carpal and tarsal joints and, in the case of swine, the coccygeal vertebrae;
- (b) has been obtained by mechanical means; and
- (c) has been passed through a fine mesh such that its cellular structure has been broken down and it flows in puree form;

“minced meat” means meat which has been minced into fragments or passed through a spiral screw mincer and includes such meat to which not more than 1 per cent salt has been added;

“non-industrial premises” means any establishment whose total production of meat products and meat preparations does not exceed 7.5 tonnes per week and which does not produce minced meat;

“occupier” means a person carrying on the business of producing or storing minced meat or meat preparations;

“packaging”, in relation to minced meat and meat preparations, means the placing of one or more of those products, wrapped or unwrapped, in a container, as well as the container itself;

“the Poultry Meat Regulations” means the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995⁽⁷⁾;

“premises” means any industrial or non-industrial premises;

⁽⁵⁾ S.I. 1992/3298 as amended by S.I. 1994/2783.

⁽⁶⁾ S.I. 1994/3082 as amended by S.I. 1995/539.

⁽⁷⁾ S.I. 1995/540.

“pre-prepared minced meat” means minced meat destined for use in a meat preparation but which has been stored, other than incidentally to a continuous manufacturing process, before such use;

“production” means manufacturing, preparing, processing, packaging, wrapping or rewrapping and “produce” has a corresponding meaning;

“registered premises” means premises which are not approved premises but which are licensed, approved under the Meat Products Regulations or registered under the Food Premises (Registration) Regulations 1991⁽⁸⁾;

“relevant EEA State” means an EEA State other than Iceland;

“seasonings” means salt, mustard, spices and aromatic spice extracts, or aromatic herbs and aromatic extracts thereof;

“third country” means a country which is not a relevant EEA State;

“The Wild Game Meat Regulations” means the Wild Game Meat (Hygiene and Inspection) Regulations 1995⁽⁹⁾;

“wrapping”, in relation to minced meat or meat preparations, means the placing of such products in material which comes into direct contact with them, 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.

Exemptions

3. These Regulations shall not apply to—
- (a) premises producing or storing minced meat and meat preparations exclusively for direct sale in the United Kingdom to the final consumer from those premises or from a sales point adjacent to those premises;
 - (b) the production of mechanically recovered meat; or
 - (c) the production or sale of minced meat intended to be used as a raw material for the production of sausage meat destined for inclusion in a meat product.

PART II

APPROVAL OF PREMISES

Approval of premises

4.—(1) No person shall use any premises for the production of minced meat or meat preparations intended for consignment or sale for consignment to a relevant EEA State for human consumption unless those premises are approved under this regulation and comply with the appropriate requirements of the Schedules to these Regulations.

(2) Subject to paragraph (3) below, on an application made to it under this regulation the approval authority shall approve the premises to which the application relates—

- (a) where the premises are licensed premises or premises approved under the Meat Products Regulations—

⁽⁸⁾ S.I. 1991/2825; amended by S.I. 1993/2822, 1994/1029, 1995/539, 540.

⁽⁹⁾ S.I. 1995/2148.

- (i) for the production of minced meat if it is satisfied that the requirements of Schedule 1 are met; and
 - (ii) for the production of meat preparations if it is satisfied that the requirements of Schedule 2 are met; or
- (b) where the premises are independent premises, for the production of minced meat and meat preparations if it is satisfied that the requirements of Schedule 3 are met,
- and shall refuse so to approve those premises if it is not so satisfied.
- (3) In the case of non-industrial premises the following derogations from the structural requirements for premises shall apply—
- (a) taps near work stations may be hand-operable;
 - (b) an adequate number of lockers will suffice in place of changing rooms; and
 - (c) the manufacture and wrapping of meat preparations may take place in the same room, provided that—
 - (i) those operations constitute a single production cycle complying with the requirements of these Regulations and guaranteeing the safety of the raw materials and finished products; and
 - (ii) the design and dimensions of the room so allow.
- (4) Each application for approval under this regulation shall be made in writing by the occupier of, or a person proposing to occupy, the premises to which the application relates.
- (5) Any premises approved under this regulation shall be allocated an approval number.
- (6) The approval authority shall notify the applicant in writing of its decision on an application under this regulation and of the reasons for any refusal to grant approval.

Revocation of approvals

- 5.—(1) Subject to paragraph (3) below and to regulation 6(3), the approval authority may revoke an approval granted by it in respect of any premises if it is satisfied that—
- (a) the premises no longer comply with these Regulations;
 - (b) adequate health inspection of the premises is being hampered;
 - (c) the business carried on at the premises in respect of which the approval was granted is no longer being carried on there; or
 - (d) the premises have become exempt under regulation 3.
- (2) The approval authority shall give the occupier of the premises notice of revocation in writing, stating—
- (a) the date on which the revocation is to take effect; and
 - (b) the reasons for the revocation.
- (3) An approval may not be revoked under paragraph 1(a) or (b) above unless—
- (a) there is in force in relation to the premises—
 - (i) a prohibition order under section 11 of the Act; or
 - (ii) an emergency prohibition order under section 12 thereof; and
 - (b) under the order minced meat or meat preparations may no longer be produced at the premises.
- (4) In paragraph (2) above “occupier”, in relation to a proposed revocation by virtue of paragraph (1)(c) above, where the premises are vacant, means the last person known to the approval

authority to have carried on at the premises the business of producing minced meat or meat preparations or his successor in respect of that business.

Right of appeal

6.—(1) Any person who is aggrieved by the refusal or revocation of an approval may appeal to a magistrates' court or, in Scotland, to the sheriff.

(2) Section 37(3) to (6) of the Act shall have effect in relation to an appeal under this regulation as it has effect in relation to an appeal under that section but with the omission of—

- (a) the references to appeals for which provision is made by regulations under section 37(2); and
- (b) subsection (5)(b) and the word “or” immediately preceding it.

(3) A revocation shall not take effect until the time for appealing against it has expired and, if an appeal is lodged, until the appeal is finally disposed of or abandoned.

PART III

CONDITIONS FOR THE MARKETING OF MINCED MEAT AND MEAT PREPARATIONS

General conditions for the marketing of minced meat

7.—(1) No person shall consign or sell for consignment to a relevant EEA State for human consumption any minced meat produced in Great Britain unless it is derived from meat of bovine animals, pigs, sheep or goats, and—

- (a) it has been produced in approved premises;
- (b) it has been prepared from striated muscle (other than heart muscle), including the adjoining fatty tissues, which, in the case of pigmeat, has been examined for trichinae (*trichinella spiralis*) or has undergone the appropriate treatment as described in Council Directive [77/96/EEC](#)(**10**) on the examination for trichinae upon importation from third countries of fresh meat derived from domestic swine;
- (c) it has been produced in accordance with the appropriate requirements of Schedule 4;
- (d) it has been checked in accordance with the relevant provisions of paragraph 1 of Schedule 6;
- (e) it has been labelled and given a health mark in accordance with the requirements of Schedule 7;
- (f) it has been wrapped and packaged in accordance with the requirements of Schedule 8 and stored in a cold store in accordance with the requirements of Schedule 9;
- (g) it is transported in accordance with the requirements of Schedule 10;
- (h) it is accompanied during transportation by a commercial document and, where appropriate, by a health certificate in accordance with regulation 9;
- (i) where the meat from which it is derived has been frozen or deep frozen, such meat was deboned prior to freezing or deep-freezing and, after freezing or deep-freezing, was stored for not more than 18 months in the case of beef or veal, 12 months in the case of sheep

(10) OJ No. L26, 31.1.77, p.67. The annexes have been amended three times, by Council Directives [84/319/EEC](#) (OJ No. L167, 27.6.84, p.34) and [89/321/EEC](#) (OJ No. L133, 17.5.89, p.33) and Commission Directive [94/59/EC](#) (OJ No. L315, 8.12.94, p.18).

meat or goat meat and 6 months in the case of pig meat, except that the boning of sheep meat and pig meat may have taken place immediately before mincing provided that this operation was carried out under hygienic conditions;

- (j) where the meat from which it is derived has been chilled, such meat has been minced within 6 days of slaughter or, in the case of boned, vacuum-packed beef or veal, within 15 days thereof;
 - (k) it has undergone cold treatment within one hour of portioning and wrapping, except where processes were used requiring the lowering of the internal temperature of the meat during production;
 - (l) where it is packaged and presented chilled, it is obtained from meat as described in sub-paragraph (j) above and cooled to an internal temperature below 2°C as quickly as reasonably possible, except that a limited quantity of frozen meat as described in sub-paragraph (i) above may be added to the meat before mincing to accelerate the refrigeration process, provided that this addition is mentioned on the label and the cooling time referred to above does not exceed one hour;
 - (m) where it is packaged and presented deep frozen, it is obtained from meat as described in sub-paragraph (i) or (j) above and complies with the conditions specified in paragraph 1 of Schedule 1 to the Quick-frozen Foodstuffs Regulations 1990⁽¹¹⁾;
 - (n) it has not been treated by ionising or ultraviolet radiation; and
 - (o) where any of the designations specified in the table in paragraph 1 of Schedule 11 are used as described in that table on the packaging, the requirements as to total fat content, and collagen content of meat protein, appearing opposite that designation in that table are met.
- (2) No person shall sell for human consumption in Great Britain minced meat produced in the United Kingdom unless—
- (a) it has been produced in approved premises or in registered premises which comply with the requirements of Schedule 1 or Schedule 3, as appropriate;
 - (b) it has been produced in accordance with the requirements of paragraphs 1, 2 and 6 of Schedule 4;
 - (c) it has been checked in accordance with the relevant provisions of paragraph 1 of Schedule 6;
 - (d) it has been wrapped and packaged in accordance with the requirements of Schedule 8 and stored in a cold store in accordance with the requirements of paragraphs 4 and 5 of Schedule 9; and
 - (e) where any of the first three designations specified in the table in paragraph 1 of Schedule 11 are used as described in that table on the packaging, the requirements as to total fat content, and collagen content of meat protein, appearing opposite that designation in that table are met.
- (3) Paragraph (1) above shall not apply to minced meat originating in a relevant EEA State or a third country, save that such minced meat shall be handled and transported in accordance with these Regulations.
- (4) No person shall affix the health mark to any minced meat which does not satisfy the requirements specified in paragraph (1) above.

⁽¹¹⁾ S.I. 1990/2615, as amended by S.I. 1992/2596 and 1994/298.

General conditions for the marketing of meat preparations

8.—(1) No person shall consign or sell for consignment to a relevant EEA State for human consumption any meat preparation unless—

- (a) it has been produced in approved premises;
- (b) where it is derived from pig meat, such meat has been examined for trichinae (*trichinella spiralis*) or has undergone the appropriate treatment as described in Council Directive 77/96/EEC;
- (c) where the meat from which it is derived has been deep frozen, such meat has been used within, in the case of beef and veal, 18 months of slaughter, in the case of sheep meat, goat meat, poultry meat, rabbit meat and farmed game meat, 12 months thereof and, in the case of other meat, six months thereof;
- (d) where it is packaged and presented chilled, it has been cooled as quickly as reasonably possible to an internal temperature below—
 - (i) 2°C where it contains minced meat;
 - (ii) 7°C where it contains fresh meat;
 - (iii) 4°C where it contains poultry meat; and
 - (iv) 3°C where it contains offal;
- (e) where it is packaged and presented deep frozen, it complies with the conditions specified in paragraph 1 of Schedule 1 to the Quick-frozen Foodstuffs Regulations 1990;
- (f) it has been produced in accordance with the provisions of Schedule 5;
- (g) it has been checked in accordance with the relevant provisions of paragraph 1 of Schedule 6;
- (h) it has been labelled and given a health mark in accordance with the provisions of Schedule 7;
- (i) it has been wrapped and packaged in accordance with the provisions of Schedule 8 and stored in a cold store in accordance with the provisions of Schedule 9;
- (j) it has been transported in accordance with the provisions of Schedule 10; and
- (k) it has not been treated by ionising radiation, save where this has taken place for medical purposes.

(2) No person shall consign or sell for consignment to a relevant EEA State for human consumption meat preparations containing pre-prepared minced meat of bovine animals, pigs, sheep or goats unless such minced meat satisfied the requirements of regulation 7(1), except that this provision shall not apply to fresh sausage and sausage meat.

(3) No person shall sell for human consumption in Great Britain any meat preparation produced in the United Kingdom unless—

- (a) it has been produced in approved premises or in registered premises which comply with the requirements of Schedule 2 or Schedule 3, as appropriate;
- (b) it has been produced in accordance with the requirements of paragraphs 1 and 2 (ii) of Schedule 5;
- (c) it has been checked in accordance with the relevant provisions of paragraph 1 of Schedule 6;
- (d) it has been stored in a cold store in accordance with the requirements of paragraphs 4 and 5 of Schedule 9, or, where it is unpackaged, in a licensed cold store; and
- (e) it has not been treated by ionising radiation save where this has taken place for medical purposes.

(4) Paragraphs (1) and (2) above shall not apply to meat preparations originating in a relevant EEA State or a third country, save that such meat preparations shall be handled and transported in accordance with these Regulations.

(5) No person shall affix the health mark to any meat preparation which does not satisfy the requirements specified in paragraph (1) above.

Transport documentation

9.—(1) The occupier of approved premises shall ensure that minced meat and any meat preparation intended for consignment to a relevant EEA State is accompanied during the transportation from the premises—

- (a) by an invoice or delivery note containing the following information—
 - (i) the approval number of the premises in which the minced meat or meat preparation was produced and, in the case of frozen minced meat, the month and year of freezing; and
 - (ii) in the case of minced meat destined for Finland or Sweden, a statement that the minced meat is free from salmonella bacteria; and
- (b) in the case of minced meat or any meat preparations—
 - (i) which is obtained from any premises situated in a region or area subject to a prohibition or restriction under the Animal Health Act 1981⁽¹²⁾; or
 - (ii) which will be transported through a third country; by a health certificate corresponding in form and content to that specified in Schedule 12 or Schedule 14, as the case may be, such certificate to be kept by the consignee for presentation upon request to the enforcement authority.

(2) In the case of minced meat or any meat preparation which has been consigned to a relevant EEA State and is intended for export to a third country, where the competent authority in the relevant EEA State so requests, veterinary certification shall be provided at the expense of the occupier of the approved premises in which the minced meat was produced.

(3) Any person who receives minced meat or meat preparations direct from any approved premises shall keep the invoice or delivery note so that it can be produced at the request of the enforcement authority.

PART IV

ADMINISTRATION, PENALTIES AND ENFORCEMENT

Information to be provided by food authorities

10. 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.

Duties of occupier

11.—(1) The occupier of any premises shall take all necessary measures to ensure that these Regulations are complied with at all stages of production of minced meat or meat preparations and shall carry out his own checks to ensure—

(12) 1981 c. 22.

- (a) that critical points in the premises relative to production are identified and acceptable to the enforcement authority;
 - (b) that methods for monitoring and controlling such critical points are established and acceptable to the enforcement authority;
 - (c) that, when samples are taken for the purpose of checking compliance with the hygiene standards required by these Regulations, they are analysed or examined as appropriate in a laboratory acceptable to the enforcement authority;
 - (d) that as far as is reasonable and practicable a record in permanent form is kept, to be made available to the enforcement authority upon request, in respect of the matters specified in sub-paragraphs (a) to (c) above for a period of at least two years, or, in the case of chilled minced meat or meat preparations, for a period of six months after the expiry of the “use-by” date;
 - (e) that health marking is controlled and carried out properly;
 - (f) that the enforcement authority is notified immediately when a laboratory examination of samples or any other information at the occupier’s disposal reveals a health risk; and
 - (g) in the event of an imminent health risk, that any minced meat or meat preparation obtained under technologically similar conditions and likely to present a similar degree of risk is withdrawn from the market, and that any minced meat or meat preparation so withdrawn is held under the supervision and control of the enforcement authority until it is destroyed, used for purposes other than human consumption, or, with the agreement of the enforcement authority, reprocessed in a manner appropriate to ensure it is safe for human consumption.
- (2) The occupier of any premises shall further ensure—
- (a) that each worker is given instruction and training with regard to hygiene matters appropriate to the tasks undertaken by that worker;
 - (b) that the packaging of the products bears a clear and legible indication of the temperature at which the products are to be transported and stored and—
 - (i) in respect of chilled products, the use-by date; or
 - (ii) in respect of deep frozen products, the minimum durability date; and
 - (c) that microbiological tests are conducted at the frequency, and assessed using the criteria for interpretation, laid down in Schedule 11 or 13, as appropriate.

Supervision and enforcement

12.—(1) In relation to combined premises the Minister shall be responsible for the supervision under these Regulations of those premises and for enforcing and executing these Regulations in relation to those premises.

(2) For the purposes of paragraph (1) above, any veterinary surgeon designated as an Official Veterinary Surgeon in accordance with the Hygiene Regulations in relation to any combined premises shall have overall responsibility under these Regulations for the performance in those premises of the functions described in paragraph (1), and the Minister shall appoint any such person to be an authorised officer of the Minister for the purpose of these Regulations.

(3) For the purposes of paragraph (1) above, any person appointed by the Minister as an inspector under the Hygiene Regulations in any combined premises may act under the supervision and responsibility of an Official Veterinary Surgeon in relation to the performance in those premises of the functions described in paragraph (1).

(4) In relation to any premises other than combined premises, responsibility for the supervision under these Regulations of those premises and for enforcing and executing these Regulations in relation to those premises shall lie with the food authority in whose area the premises are situated.

(5) For the purposes of paragraph (4) above any person qualified to be an inspector in accordance with regulation 8(3) of the Fresh Meat Regulations or regulation 8(2) of and Schedule 16 to the Poultry Meat Regulations may act under the supervision and responsibility of an authorised officer of a food authority in relation to the functions described in paragraph (1).

(6) Accordingly, in these Regulations “enforcement authority”, in relation to any premises, means the authority that, by virtue of paragraph (1) or (4) above, has the responsibilities described in paragraph (1) above.

(7) Premises shall be inspected and monitored in accordance with Schedule 6.

Offences and penalties

13.—(1) If—

- (a) a person (other than an approval authority or enforcement authority) contravenes any provision of these Regulations; or
- (b) the occupier of any premises fails to take all reasonable steps to secure the compliance by any person employed by him or any person admitted to those premises with any provision of these Regulations,

he shall be guilty of an offence and shall be liable—

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

(2) No prosecution for such an offence shall commence 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.

Application of various sections of the Act

14. The following provisions of the Act shall apply for the purposes of these Regulations as they apply for the purposes of section 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 these Regulations—

- section 2 (extended meaning of “sale” etc.);
- section 3 (presumptions that food intended for sale for human consumption);
- section 9 (inspection and seizure of suspected food) with the modification that it shall apply to an authorised officer of an enforcement authority as it applies to an authorised officer of a food authority;
- section 20 (offences due to fault of another person);
- section 21 (defence of due diligence);
- section 33 (obstruction etc. of officers);
- section 36 (offences by bodies corporate) subject to the modification that a reference to a body corporate includes a Scottish partnership and a reference to a director includes a reference to a partner in a Scottish partnership; and
- section 44 (protection of officers acting in good faith).

PART V

MISCELLANEOUS AND SUPPLEMENTARY

Minced meat and meat preparations from Northern Ireland, the Isle of Man and the Channel Islands

15.—(1) No person shall sell for human consumption any minced meat or meat preparation produced or stored in a place to which this regulation applies and intended for consignment to a relevant EEA State unless any such production or storage in that place was in accordance with legislation having effect in that place and corresponding to the provisions of these Regulations concerning the consignment or sale for consignment of such products to a relevant EEA State for human consumption.

(2) No person shall sell for human consumption in Great Britain any minced meat or meat preparation which has been produced or stored in a place to which this regulation applies unless such production or storage in that place was in accordance with legislation having effect in that place and corresponding to the provisions of these Regulations concerning the sale of such products for human consumption in Great Britain.

(3) The places to which this regulation applies are Northern Ireland, the Isle of Man and the Channel Islands.

Amendments

16.—(1) After regulation 3(2)(g) of the Food Premises (Registration) Regulations 1991 there shall be added—

“(h) as premises, approved under regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995, producing minced meat or meat preparations for export to another State (other than Iceland) which is a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2 May 1992 as adjusted by the Protocol signed at Brussels on 17 March 1993.”.

(2) In Part III of Schedule 2 to the Meat Products (Hygiene) Regulations 1994—

(a) paragraph 1(3) shall be replaced by—

“(3) Meat obtained from premises granted derogations under Directive [91/498/EEC](#), or from the low throughout premises referred to in regulation 2 of the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995 or the Fresh Meat (Hygiene and Inspection) Regulations 1995—

(a) may be held in approved meat products premises provided that it is stored separately from meat bearing an EC health mark; and

(b) may be used in the same place or at the same time as meat bearing an EC health mark, provided that, in the case of meat from derogated premises, an authorisation in accordance with regulation 18 has been obtained, but meat products obtained from such meat shall not bear the British EC health mark.”; and

(b) in paragraph 3(a)—

(i) “Directive [88/657/EEC](#)” shall be replaced by “the Minced Meat and Meat Preparations (Hygiene) Regulations 1995”, and

(ii) the words “that Directive” shall be replaced in both places where they occur by “those Regulations”.

(3) In regulation 3 of the Food Safety (General Food Hygiene) Regulations 1995⁽¹³⁾, after paragraph (2)(1) there shall be inserted—

“(m) the Minced Meat and Meat Preparations (Hygiene) Regulations 1995.”.

(4) In regulation 20(4) of the Poultry Meat Regulations, “(1) or” shall be deleted.

(5) In the Wild Game Meat Regulations—

(a) in regulation 16(4) “paragraphs (1) and” shall be replaced by “paragraph”; and

(b) in regulation 19(1), after “regulation 3” there shall be inserted “, regulation 12(1)(e)”.

(6) After regulation 3(2)(k) of the Food Safety (Temperature Control) Regulations 1995⁽¹⁴⁾ there shall be added—

“(l) the Minced Meat and Meat Preparations (Hygiene) Regulations 1995.”.

8th December 1995

Angela Browning
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

3rd December 1995

Cumberlege
Parliamentary Under-Secretary of State,
Department of Health

8th December 1995

Gwilym Jones
Parliamentary Under-Secretary of State, Welsh
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8th December 1995

Lindsay
Parliamentary Under-Secretary of State, Scottish
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⁽¹³⁾ S.I. 1995/1763.

⁽¹⁴⁾ S.I. 1995/2200.

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

SCHEDULE 1

Regulations 4(2)(i)(a) and 7(2)(a)

Requirements for premises, other than independent premises, producing minced meat

1. As well as being licensed premises or premises approved under the Meat Products Regulations, premises shall have at least the following facilities—
 - (a) a room for mincing and wrapping separate from the cutting room or a specific and distinct area for that purpose in the cutting room, equipped with a recording thermometer or recording telethermometer;
 - (b) a room for packaging, unless the conditions laid down in paragraph 4 of Part V of Schedule 2 to the Meat Products Regulations are met;
 - (c) a room or cabinets for storing salt; and
 - (d) refrigeration equipment enabling the requirements of these Regulations as to temperatures to be met.
2. Staff engaged in the manual preparation of minced meat shall wear masks covering the mouth and nose and, if so directed by the enforcement authority, smooth moisture-proof gloves which are disposable or capable of being cleaned and disinfected.

SCHEDULE 2

Regulations 4(2)(i)(b) and 8(3)(a)

Requirements for premises, other than independent premises, producing meat preparations

1. As well as being licensed premises or premises approved under the Meat Products Regulations, premises shall have at least the following facilities—
 - (a) a room separate from the cutting room for the production of meat preparations, the addition of other foodstuffs and wrapping, equipped with a recording thermometer or recording telethermometer; except that—
 - (i) the production of meat preparations may take place in the cutting room in a specific and distinct area; and
 - (ii) seasonings may be added to whole poultry carcasses in a specific room separate from the slaughterhall or a separate and distinct area within it;
 - (b) a room for packaging unless the conditions laid down in paragraph 4 of Part V of Schedule 2 to the Meat Products Regulations are met;
 - (c) a room for storing seasonings and other cleaned foodstuffs ready for use;
 - (d) refrigerated rooms for the storage of—
 - (i) meat from which meat preparations may be derived; or
 - (ii) meat preparations; and
 - (e) refrigeration equipment enabling the requirements of these Regulations as to temperatures to be met.
2. Staff engaged in the manual preparation of meat preparations shall wear masks covering the mouth and nose and, if so directed by the enforcement authority, smooth moisture-proof gloves which are disposable or capable of being cleaned and disinfected.

SCHEDULE 3

Regulations 4(2)(ii),7(2)(a) and 8(3)(a)

Requirements for independent premises producing minced meat or meat preparations

1. As well as complying with the requirements of Schedule 1 to the Meat Products Regulations, independent premises shall have rooms meeting the descriptions set out in the following provisions—

- (a) in the case of independent premises producing minced meat, paragraph 1 of Part 1 of Schedule 2 to the Meat Products Regulations and paragraph 1(a) of Schedule 1 to these Regulations; and
- (b) in the case of independent premises producing meat preparations, paragraph 1 and, depending on the nature of the meat preparation, paragraph 2 of Part 1 of Schedule 2 to the Meat Products Regulations.

2. Staff engaged in the manual preparation of meat preparations shall wear masks covering the mouth and nose and, if so directed by the enforcement authority, smooth moisture-proof gloves which are disposable or capable of being cleaned and disinfected.

SCHEDULE 4

Regulation 7(1)(c) and (2)(b)

Conditions for the production of minced meat

1. Before mincing or cutting up, meat shall be examined and all soiled and suspect parts shall be removed and condemned.

2. The following may not be used for the production of minced meat—

- (a) scrap cuttings, scrap trimmings or mechanically recovered meat;
- (b) meat referred to in Part IX of Schedule 10 to the Fresh Meat Regulations, Part II of Schedule 9 to the Poultry Meat Regulations or Part II of Schedule 5 to the Wild Game Meat Regulations;
- (c) meat containing bone fragments;
- (d) in the case of meat derived from bovine animals, sheep, goats or pigs, bone scrapings, the non-muscular part of the linear alba, the carpus and tarsus region or meat from the muscles of the head, with the exception of the masseters which may be used provided that, where they are derived from bovine animals, an examination for cysticercosis has been conducted; and
- (e) in the case of meat derived from bovine animals, meat from the muscles of the diaphragm except where, after the removal of serosa, an examination for cysticercosis has been conducted.

3. Not more than one hour shall elapse between the removal of the meat from a refrigerated environment for mincing and the production and chilling or deep-freezing of the minced meat, during which time the internal temperature of the meat shall not exceed 7°C and the temperature of the production area shall not exceed 12°C, save that a longer period shall be permitted where the addition of salt so justifies on technical grounds and there is no risk to public health.

4. Where the one hour time limit described in paragraph 3 above or such longer period as may be permitted thereunder is exceeded, the meat may not be minced until its internal temperature has been reduced to 4°C or less.

5. Immediately after production minced meat shall be hygienically wrapped, packaged and cooled and stored at the appropriate temperatures specified or referred to in regulation 7(1)(l) or (m).

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6. Minced meat shall not be deep-frozen more than once.

SCHEDULE 5

Regulations 8(1)(f) and 3(b)

Conditions for the production of meat preparations

1. The production of meat preparations shall take place in temperature controlled conditions such that any risk to public health is avoided.
2. Meat preparations shall—
 - (a) immediately after production, be wrapped and packaged in accordance with Schedule 8 and cooled to the appropriate temperature referred to in regulation 8(1)(d) or (e);
 - (b) not be deep-frozen more than once; and
 - (c) where they are to be consigned to a relevant EEA State, be so consigned within 18 months of their production.

SCHEDULE 6

Regulations 7(1)(d) and (2)(c), 8(1)(g) and (3)(c) and 12(7)

Supervision of production

1. Establishments shall be subject to supervision by an authorised officer of the enforcement authority, assisted where appropriate by the inspectors referred to in regulation 12(3) or (5), who shall ensure that the requirements of these Regulations are met and in particular—
 - (a) check—
 - (i) the cleanliness of the premises and equipment and staff hygiene;
 - (ii) the efficacy of the checks carried out by the occupier in accordance with regulation 11;
 - (iii) in accordance with Schedule 11, the microbiological and hygienic condition of the minced meat or meat preparations;
 - (iv) where appropriate, the health marking of the minced meat or meat preparations; and
 - (v) storage and transport conditions;
 - (b) if appropriate take samples required for laboratory tests;
 - (c) make any other checks considered necessary to ensure compliance with these Regulations.
2. The authorised officer shall have free access at all reasonable times to any premises to check that these provisions are being strictly complied with, and to such documentation as may be required to ascertain the slaughterhouse or other establishment of origin of meat used in the production of minced meat or meat preparations.
3. Inspection and monitoring of premises shall take place—
 - (a) in the case of premises attached to cutting establishments, at the same frequency as for the said cutting establishments;
 - (b) in the case of approved premises producing minced meat meeting the requirements of regulation 7(1), at least once on each day of production; and
 - (c) in the case of any other premises, as often as the enforcement authority considers necessary given the size of the premises and the type of product manufactured.

SCHEDULE 7

Regulations 7(1)(e) and 8(1)(h)

Marking and labelling

1. The health mark shall correspond—
 - (a) for minced meat and meat preparations derived from bovine animals, pigs, sheep, goats or farmed game, to the description contained in paragraph 1 of Schedule 12 to the Fresh Meat Regulations;
 - (b) for meat preparations derived from poultry meat, farmed game bird meat or rabbit meat, to the description contained in paragraph 1 of Schedule 11 to the Poultry Meat Regulations;
 - (c) for meat preparations derived from wild game meat, to the description contained in paragraph 1 of Schedule 7 to the Wild Game Meat Regulations.
2. The health mark shall include the approval number allocated to the premises in accordance with regulation 4(5).
3. Without prejudice to the Food Labelling Regulations 1995(15), in the case of meat preparations where the following information is not clear from the name of the food or the list of ingredients, it shall be visibly and legibly displayed for inspection purposes on the packaging—
 - (a) the species from which the meat used is derived and, in the case of a mixture, the percentage of each species; and
 - (b) on packaging not intended for the final consumer, the date of preparation.
4. In the case of minced meat, and meat preparations made from pre-prepared minced meat except for fresh sausages and sausage meat, bearing the health mark provided for in this Schedule, the labelling shall also display the following words and indicate the appropriate percentages—
 - (a) “percentage of fat under”; and
 - (b) “percentage of collagen in meat protein under”.

SCHEDULE 8

Regulations 7(1)(f) and (2)(d) and 8(1)(i)

Wrapping and packaging

1. Wrapped minced meat or meat preparations shall be packaged save that where the wrapping material used fulfils all the protective requirements of packaging set out in paragraph 3 below, they do not in addition need to be packaged.
2. Minced meat and meat preparations shall be marked on the packaging, or wrapping material referred to in paragraph 1 above, with a health mark.
3. Packaging shall take place under satisfactory hygiene conditions and—
 - (a) shall not alter the organoleptic characteristics of the minced meat or meat preparations;
 - (b) shall not be capable of transmitting to the minced meat or meat preparations substances harmful to human health; and
 - (c) shall be sufficiently strong to ensure effective protection of the minced meat or meat preparation during transport and handling.
4. Packaging shall not be re-used for minced meat or meat preparations unless it is made of corrosion-resistant materials which are easy to clean and it has been cleaned and disinfected beforehand.

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5. Any minced meat or meat preparations wrapped in commercial portions intended for direct sale to the consumer shall bear a reproduction of the health mark, which may be of reduced dimensions, on the wrapping material or a clearly visible label attached to the wrapping.

SCHEDULE 9

Regulations 7(1)(f) and (2)(d) and 8(1)(i) and (3)(e)

Storage

1. Minced meat and meat preparations shall be chilled immediately after wrapping and, where required, packaging.
2. Minced meat shall be stored at the appropriate temperatures indicated in regulation 7(1)(l) or (m).
3. Meat preparations shall be stored at the appropriate temperatures indicated in regulation 8(1)(d) or (e).
4. Minced meat and meat preparations shall be deep-frozen only on the premises of production, or in a cold store.
5. Minced meat and meat preparations shall not be stored with other foodstuffs unless it is ensured, by virtue of the packaging, that the minced meat or meat preparations cannot be adversely affected.

SCHEDULE 10

Regulations 7(1)(g) and 8(1)(j)

Transport

1. Minced meat and meat preparations shall be dispatched in such a way that they are protected from anything liable to contaminate or otherwise adversely affect them, having regard to the duration, conditions and means of transport.
2. Vehicles used to transport minced meat and, subject to paragraph 3 below, meat preparations shall be equipped with apparatus to ensure that the appropriate temperatures required by these Regulations are not exceeded during transport and with a recording thermometer.
3. Meat preparations produced in non-industrial premises may be transported from those premises to nearby outlets at temperatures higher than those referred to in paragraph 2 above, provided that such transportation does not take more than one hour.
4. Where the minced meat or meat preparations were produced in premises situated in an area subject to restrictions for animal health reasons and are to be transported through a third country, the means of transport shall remain sealed.

SCHEDULE 11

Regulations 7(1)(o) and (2)(e) and 11(2)(c)

Sampling requirements and compositional and microbiological criteria for minced meat

1. Compositional criteria:

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Designations	Fat content (%)	Collagen content in meat protein (%)
“Lean minced”, used in relation to meat of any permitted species	≤7	≤12
“Minced pure”, used in relation to meat of bovine animals	≤20	≤15
“Minced”, used in relation to meat of any permitted species and containing pig meat	≤30	≤18
“Minced”, used on relation to sheepmeat or goat meat	≤25	≤15

For the purposes of this table “meat of any permitted species” means the meat referred to in regulation 7(1) or (2), as the case may be.

2. Microbiological criteria:

	Lower Threshold (per g.)		Upper Threshold (per g.)		Microbic Limit
	Solid media	Liquid media	Solid media	Liquid media	
Aerobic mesophile bacteria	5×10^5	5×10^5	5×10^6	1.5×10^7	5×10^8
<i>Escherichia coli</i>	50	50	5×10^2	1.5×10^3	5×10^4
<i>Staphylococcus aureus</i>	102	102	5×10^3	3×10^3	5×10^4

3. Microbiological tests shall be conducted—

- (a) on each day of production on a representative sample of the minced meat referred to in regulation 7(1) and of pre-prepared minced meat for use in meat preparations to which regulation 8(2) applies; and
- (b) at least once a week on a representative sample of any other minced meat or, alternatively, of any meat intended for the production of any such other minced meat, in the latter case the sample being taken from deep in the muscle after the surface has been cauterised.

For the purposes of this paragraph “a representative sample” means a sample comprising five separate units of a weight appropriate to the test to be carried out, taken at different times and at reasonable intervals during production.

4. The quality of the minced meat or meat analysed shall be evaluated according to the following categories:

- Category (a): fully satisfactory—all results at or below the lower threshold;
- Category (b): acceptable subject to paragraph 5 below—all results at or below the upper threshold; or
- Category (c): unacceptable—any results above the upper threshold.

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5. In the case of category (b) above, if the results of tests on five consecutive samples show an incidence of samples which produce results above the lower threshold but at or below the upper threshold of above 2 in 5, the quality shall be considered unacceptable. However, where this occurs only in the case of aerobic mesophile bacteria, the occupier may consider submitting another sample from the same batch for further microbiological examination for aerobic mesophile bacteria.

6. Where in respect of any sample the results are at or above the microbic limit, the minced meat shall be regarded as presenting an imminent health risk for the purposes of regulation 11(1)(g).

7. Where in respect of any sample the result of the test for salmonella shows a presence in 10g, the quality shall be considered unacceptable.

SCHEDULE 12

Regulation 9(1)(b)(ii)

Health certificate for minced meat

No.

Exporting country:

Ministry:

Department concerned:

Reference:

I. Identification of minced meat

Products prepared with meat from:
(Animal species)

Nature of products:

Nature of packaging:

Number of individual items or packages:

Storage and transport temperature:

Storage life:

Net weight:

II. Origin of minced meat

Address(es) and approval number(s) of approved manufacturing establishment(s):

.....

.....

If necessary:

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

.....

.....

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III. Destination of minced meat

The minced meat is to be sent

from:

(Place of dispatch)

to:

(Country of destination)

by the following means of transport:^(a)

Name and address of consignor:

.....

.....

Name and address of consignee:

.....

.....

IV. Health attestation

I, the undersigned, certify that the minced meat described above:

(a) was manufactured from fresh meat under the specific conditions laid down in Directive 94/65/EC;

(b) is intended for the Hellenic Republic^(b).

Done at

on

(place) (date)

.....

(Stamp and signature of official veterinarian)
(Name in capital letters)

^(a) Indicate the number or registration number (railway wagons and lorries), the flight number (aircraft) or the name (ship). This information must be updated in the event of transshipment.

^(b) If appropriate.

SCHEDULE 13

Regulation 11(2)(c)

Sampling requirements and microbiological criteria for meat preparations

1. Table of microbiological criteria:

	Lower Threshold (per g.)		Upper Threshold (per g.)	
	Solid media	Liquid media	Solid media	Liquid media
<i>Escherichia coli</i>	5×10^2	5×10^2	5×10^3	1.5×10^4
<i>Staphylococcus aureus</i>	5×10^2	5×10^2	5×10^3	5×10^3

2. Microbiological tests shall be conducted at least once a week on a representative sample of finished meat preparations or, alternatively, of any meat intended for the production of meat preparations, where possible the sample being taken from deep in the muscle after the surface has been cauterised.

For the purposes of this paragraph “a representative sample” means a sample comprising five separate units of a weight appropriate to the test to be carried out, taken at different times and at reasonable intervals during production.

3. The quality of the meat preparations or meat analysed shall be evaluated according to the following categories:

Category (a): fully satisfactory—all results at or below the lower threshold;

Category (b): acceptable subject to paragraph 4 below—all results at or below the upper threshold; or

Category (c): unacceptable—any results above the upper threshold.

4. In the case of category (b) above, if the results of tests on five consecutive samples show an incidence of samples which produce results above the lower threshold but at or below the upper threshold of above 2 in 5, in the case of *Escherichia coli*, or above 1 in 5, in the case of *Staphylococcus aureus*, the quality shall be considered unacceptable.

5. Where in respect of any sample the result of the test for salmonella shows a presence in 1g., the quality shall be considered unacceptable.

SCHEDULE 14

Regulation 9(1)(b)(ii)

Health certificate for meat preparations

No.

Exporting country:

Ministry:

Department concerned:

Reference:

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

I. Identification of meat preparations

Products prepared with meat from:
(Animal species)

Nature of products^(a):

Nature of packing:

Number of individual items or packages:

Storage and transport temperature:

Storage life:

Net weight:

II. Origin of meat preparations

Address(es) and approval number(s) of approved manufacturing establishment(s):
.....
.....

If necessary:

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

III. Destination of meat preparations

The meat preparations are to be sent
from:
(Place of dispatch)

to:
(Country of destination)

by the following means of transport:^(b)

Name and address of consignor:
.....
.....

Name and address of consignee:
.....
.....

^(a) Mention any ionizing radiation for medical reasons.

^(b) Indicate the number or registration number (railway wagons and lorries), the flight number (aircraft) or the name (ship). This information must be updated in the event of transshipment.

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IV. Health attestation

I, the undersigned, certify that the meat preparations described above:

- (a) were manufactured from fresh meat under the specific conditions laid down in Directive 94/65/EC;
- (b) are intended for the Hellenic Republic^(a).

Done at

on
(place) (date)

.....
(Stamp and signature of official veterinarian)
(Name in capital letters)

^(a) If appropriate.

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to Great Britain, implement Council Directive [94/65/EC](#) (OJNo. L368, 31.12.94, p.10) laying down the requirements for the production and placing on the market of minced meat and meat preparations.

The Regulations do not apply to premises producing or storing minced meat or meat preparations for direct sale from those premises to the final consumer, to mechanically recovered meat which is to undergo heat treatment or to the production or sale of minced meat to be used to produce sausage meat which, in turn, will be used in a meat product (regulation 3).

The Regulations—

- (a) require premises producing minced meat or meat preparations destined for consignment to a relevant EEA State to be approved under and comply with the Regulations (regulation 4);
- (b) provide for the revocation of approvals (regulation 5);
- (c) provide a right of appeal (regulation 6);
- (d) specify one set of conditions for the consignment, or sale for consignment, of minced meat to relevant EEA States and another set for its sale for consumption in Great Britain (regulation 7);
- (e) specify one set of conditions for the consignment, or sale for consignment, of meat preparations to relevant EEA States and another set for their sale for consumption in Great Britain (regulation 8);
- (f) specify requirements regarding the transportation of minced meat and meat preparations (regulation 9);
- (g) require the provision of information to the Minister by food authorities regarding the execution of their duties (regulation 10);
- (h) specify duties of an occupier of premises (regulation 11);
- (i) define “enforcement authority” and make enforcement authorities responsible for the supervision of premises and for the enforcement and execution of the Regulations (regulation 12);
- (j) create offences and prescribe penalties (regulation 13);
- (k) apply specified provisions of the Food Safety Act 1990 (regulation 14);
- (l) make provision for minced meat and meat preparations produced or stored in Northern Ireland, the Isle of Man and the Channel Islands (regulation 15); and
- (m) amend specified Regulations (regulation 16).

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.