
STATUTORY INSTRUMENTS

1998 No. 954

AGRICULTURE

**The Fertilisers (Mammalian Meat
and Bone Meal) Regulations 1998**

<i>Made</i>	- - - -	<i>2nd April 1998</i>
<i>Laid before Parliament</i>		<i>3rd April 1998</i>
<i>Coming into force</i>	- -	<i>30th April 1998</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by section 74A(1) of the Agriculture Act 1970(1), after consultation in accordance with section 84(1) of that Act with such persons or organisations as appear to them to represent the interests concerned, hereby make the following Regulations:

Title, extent and commencement

1. These Regulations may be cited as the Fertilisers (Mammalian Meat and Bone Meal) Regulations 1998, shall extend to Great Britain and shall come into force on 30th April 1998.

Interpretation

2. In these Regulations—

“agricultural land” means land used or capable of use for the purposes of a trade or business in connection with agriculture;

“agriculture” includes fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, osier land, the use of land for woodlands, and horticulture (except the propagation of plants and the growing of plants within greenhouses and glass or plastic structures);

“mammalian meat and bone meal” means mammalian protein derived from the whole or part of any dead mammal by the process of rendering;

“protein” means any proteinaceous material, except—

- (a) any milk product;
- (b) dicalcium phosphate derived from bones;

(1) 1970 c. 40; section 74A was inserted by the European Communities Act 1972 (c. 68), Schedule 4, paragraph 6. “The Ministers” is defined by section 66(1), which definition was amended by S.I. 1978/272.

- (c) dried plasma or any other blood product;
- (d) gelatin; or
- (e) amino acids produced from hides and skins by a process which involves exposure of the material to acid of a pH lower than 2 followed by alkali of a pH greater than 11 and heat treatment at a minimum of 140°C for 30 minutes at a pressure of 3 bar.

Prohibition on mammalian meat and bone meal as or in fertiliser on agricultural land

3.—(1) No person shall sell or have in his possession with a view to sale, for use as a fertiliser on agricultural land, any mammalian meat and bone meal or any material derived from or containing mammalian meat and bone meal to any extent.

(2) No person shall use on agricultural land as a fertiliser any mammalian meat and bone meal or any material derived from or containing mammalian meat and bone meal to any extent.

Restriction on mammalian meat and bone meal as or in fertiliser in other cases

4.—(1) Subject to paragraph (2) below, no person shall—

- (a) sell or have in his possession with a view to sale, for use as a fertiliser on any land other than agricultural land; or
- (b) use as a fertiliser on any such land,

any mammalian meat and bone meal or any material derived from or containing mammalian meat and bone meal to any extent unless the mammalian meat and bone meal concerned was manufactured in accordance with regulation 3 of the Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations 1998⁽²⁾.

(2) Nothing in paragraph (1) above shall prevent—

- (a) the sale for use on any land other than agricultural land;
- (b) the possession with a view to such sale; or
- (c) the use on any such land,

of any fertiliser consisting solely of mammalian meat and bone meal or derived from or containing mammalian meat and bone meal to any extent if that mammalian meat and bone meal was manufactured before the date of coming into force of these Regulations and the contract for its purchase by the manufacturer of that fertiliser was made before that date.

(3) In this regulation, the references to mammalian meat and bone meal being “manufactured” are references to the rendering process by which the mammalian meat and bone meal concerned was derived.

Revocations

5. The Fertilisers (Mammalian Meat and Bone Meal) Regulations 1996⁽³⁾ and the Fertilisers (Mammalian Meat and Bone Meal) (Amendment) Regulations 1996⁽⁴⁾ are hereby revoked.

(2) S.I. 1998/954.
(3) S.I. 1996/1125.
(4) S.I. 1996/2473.

30th March 1998

Jeff Rooker
Minister of State, Ministry of Agriculture,
Fisheries and Food

30th March 1998

Sewel
Parliamentary Under Secretary of State, Scottish
Office

Signed by authority of the Secretary of State for Wales

2nd April 1998

Win Griffiths
Parliamentary Under Secretary of State, Welsh
Office

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re-enact with amendments the Fertilisers (Mammalian Meat and Bone Meal) Regulations 1996 (S.I. [1996/1125](#)), as amended by S.I. [1996/2473](#).

The Regulations continue to control in the public interest the sale of mammalian meat and bone meal for use as a fertiliser on agricultural land (*regulation 3*). They introduce a new provision prohibiting generally in the public interest (with a specified exception relating to existing stocks of mammalian meat and bone meal) the sale or possession with view to sale for use as a fertiliser on land other than agricultural land, and the use as a fertiliser on such land, of mammalian meat and bone meal or material deriving from or containing same unless the mammalian meat and bone meal concerned has been manufactured in accordance with regulation 3 of the Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations 1998 (S.I. [1998/954](#)) (*regulation 4*). It is an offence under section 74A(3) of the Agriculture Act 1970 ([1970 c. 40](#)) to contravene the provisions of these Regulations.

A Regulatory Appraisal in relation to these Regulations has been placed in the library of each House of Parliament, and copies can be obtained from the Food Contaminants Division of the Ministry of Agriculture, Fisheries and Food, Ergon House, 17 Smith Square, London SW1P 3JR.