
WELSH STATUTORY INSTRUMENTS

2011 No. 1826

**The Beef and Pig Carcase
Classification (Wales) Regulations 2011**

PART 1

GENERAL PROVISIONS

Title, commencement and application

1.—(1) The title of these Regulations is the Beef and Pig Carcase Classification (Wales) Regulations 2011.

(2) These Regulations apply in relation to Wales and come into force on 1 September 2011.

Interpretation

2.—(1) In these Regulations—

“adult bovine animal” (*“anifail buchol llawn-dwf”*) means a bovine animal the live weight of which is more than 300 kilograms;

“approved slaughterhouse” (*“lladd-dy cymeradwy”*) means an establishment used for slaughtering and dressing adult bovine animals or pigs, the meat of which is intended for human consumption, and which—

(a) is approved or conditionally approved under Article 31(2) of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules(1), or

(b) (although lacking the approval or conditional approval that it requires under Article 4(3) of Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(2)) was, on 31st December 2005, operating as a licensed slaughterhouse under the Fresh Meat (Hygiene and Inspection) Regulations 1995(3);

“authorised officer” (*“swyddog awdurdodedig”*) means a person authorised by the Welsh Ministers for the purposes of these Regulations, but does not include a person appointed for the purpose of considering an appeal under regulation 11;

“bovine carcase” (*“carcas buchol”*) means a carcase or half-carcase of a slaughtered adult bovine animal bearing a health mark provided for in Article 5(2) of, and Chapter III of Section I of Annex I to, Regulation (EC) No 854/2004 of the European Parliament and of the Council

(1) OJ No L 165, 30.4.2004, p.1. The revised text of the Regulation is contained in a corrigendum (OJ No L 191, 28.5.2004, p.1), and there are further amendments not relevant to these Regulations.

(2) OJ No L 139, 30.4.2004, p.55. The revised text of the Regulation is contained in a corrigendum (OJ No L 226, 25.6.2004, p.22), and there are further amendments not relevant to these Regulations.

(3) S.I.1995/539, revoked in relation to England by S.I. 2005/2059, in relation to Scotland by S.I. 2005/505 and in relation to Wales by S.I. 2005/3292.

laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption⁽⁴⁾; and in this definition, “carcase” (“*carcas*”) means the whole body as presented after bleeding, evisceration and skinning, and “half-carcase” (“*hanner carcass*”) means the product obtained by separating such a carcase symmetrically through the middle of each cervical, dorsal, lumbar and sacral vertebra and through the middle of the sternum and the ischiopubic symphysis;

“classification” (“*dosbarthu*”), except as otherwise indicated in regulation 6, means—

- (a) the classification of bovine carcasses in accordance with the European beef provisions, or
- (b) the classification of pig carcasses in accordance with the European pig provisions,
- (c) as the case may be, and cognate terms are to be construed accordingly;

“clean pig” (“*mochyn glân*”) means a pig which has not been used for breeding;

“Commission Regulation” (“*Rheoliad y Comisiwn*”) means Commission Regulation (EC) No 1249/2008 laying down detailed rules on the implementation of the Community scales for the classification of beef, pig and sheep carcasses and the reporting of prices thereof;

“Council Regulation” (“*Rheoliad y Cyngor*”) means Council Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products;

“European beef provision” (“*darpariaeth eidion Ewropeaidd*”) means a provision which is specified in column 2 of Schedule 1, the subject matter of which is described in column 3 of that Schedule;

“European pig provision” (“*darpariaeth moch Ewropeaidd*”) means a provision which is specified in column 2 of Schedule 2, the subject matter of which is described in column 3 of that Schedule;

“operator” (“*gweithredwr*”) means a person carrying on the business of an approved slaughterhouse;

“pig carcase” (“*carcas mochyn*”) means the body of a slaughtered clean pig, bled and eviscerated, whole or divided down the mid-line;

“prescribed communication” (“*cyfathrebiad rhagnodedig*”) means a communication of the results of classification as required by Article 7(1) of the Commission Regulation;

“the 1991 Regulations” (“*Rheoliadau 1991*”) means the Beef Carcase (Classification) Regulations 1991⁽⁵⁾; and

“the 1994 Regulations” (“*Rheoliadau 1994*”) means the Pig Carcase (Grading) Regulations 1994⁽⁶⁾

(2) Other terms used in these Regulations that are also used in the Commission Regulation or the Council Regulation have the meaning they bear in those EU instruments.

(3) In these Regulations—

- (a) any reference to the Commission Regulation is a reference to the Commission Regulation as amended from time to time, and
- (b) any reference to the Council Regulation is a reference to the Council Regulation as amended from time to time.

(4) OJ No L 139, 30.4.2004, p.206. The revised text of the Regulation is contained in a corrigendum (OJ No L 226, 25.6.2004, p.83); relevant amendments were made by Commission Regulation (EC) No 2074/2005 (OJ No L 338, 22.12.2005, p.27), Commission Regulation (EC) No 2076/2005 (OJ No L 338, 22.12.2005, p.83), Council Regulation (EC) No 1791/2006 (OJ No L 363, 20.12.2006, p.1) and Commission Regulation (EC) No 1021/2008 (OJ No L 277, 18.10.2008, p.15).

(5) S.I. 1991/2242.

(6) S.I. 1994/2155, amended in relation to Wales by S.I. 2004/106 (W. 13).

Notices

3.—(1) Any notice required or authorised under these Regulations to be given to any person must be in writing.

(2) Any such notice may be given by—

- (a) delivering it to the person;
- (b) leaving it at the person’s proper address; or
- (c) sending it by post to the person at that address.

(3) Where any such notice is to be given to a body corporate, it may be given to an officer of the body.

(4) For the purposes of this regulation and section 7 of the Interpretation Act 1978(7) (service of documents by post) in its application to this regulation, the proper address of any person to whom a notice is to be given is the person’s last known address, except that in the case of a body corporate or an officer of the body, the proper address is the address of the registered or principal office of the body.

(5) In this regulation—

“director” (“*cyfarwyddwr*”), in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate; and

“officer” (“*swyddog*”), in relation to a body corporate, means any director, manager, secretary or other similar officer of the body corporate.

Revocations

4. The following are revoked—

- (a) the 1991 Regulations, in so far as they apply in relation to Wales;
- (b) the 1994 Regulations, in so far as they apply in relation to Wales;
- (c) the Beef Carcase (Classification) (Amendment) Regulations 1994(8);
- (d) the Pig Carcase (Grading) (Amendment) (Wales) Regulations 2004(9); and
- (e) the following provisions of the Agriculture and Horticulture Development Board Order 2008(10), only in so far as they apply in relation to Wales—
 - (i) in paragraph 8 of Schedule 5, the entry relating to the 1994 Regulations, and
 - (ii) article 18 in so far as it relates to that entry.

(7) 1978 c. 30.

(8) S.I. 1994/2853.

(9) S.I. 2004/106 (W. 13).

(10) S.I. 2008/576.