1995 No. 454

AGRICULTURE

Large Farmed Game Meat (Production and Marketing) Regulations (Northern Ireland) 1995

Made . . . . . *5th December 1995*

Coming into operation . . *8th January 1996*

The Department of Agriculture, being a Department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Large Farmed Game Meat (Production and Marketing) Regulations (Northern Ireland) 1995 and shall come into operation on 8th January 1996.

Interpretation

2.—(1) In these Regulations—

"authorised officer" means an officer of the Department authorised by it to exercise functions under these Regulations;

"the Department" means the Department of Agriculture for Northern Ireland;

"the Directive" means Council Directive 91/495/EEC(**c**) concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat; and

"veterinary surgeon" means a veterinary surgeon or veterinary practitioner registered or recognised under the Veterinary Surgeons Act 1966(**d**).

(2) Other expressions used in these Regulations have the same meaning as in the Directive.

(3) The Interpretation Act (Northern Ireland) 1954(**e**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(**a**) S.I. 1972/1811
(**b**) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.I. 1994/2795 (N.I. 15)
(**c**) O.J. No. L268, 24.9.91, p. 41
(**d**) 1966 c. 36
(**e**) 1954 c. 33 (N.I.)

Exclusion

3. These Regulations shall not apply in relation to rabbits or birds or to any meat therefrom.

Production, marketing and consignment of farmed game meat

4.—(1) Subject to paragraph (2), a person shall not in Northern Ireland produce or market farmed game meat unless it fulfils the relevant conditions of the Directive and, in particular, those referred to in Article 6(1) thereof.

(2) Nothing in paragraph (1) shall prevent the production and marketing of farmed game meat by reason only that the animal from which the meat was produced was slaughtered on the holding where it originated provided that the Department authorised that slaughter in the circumstances mentioned in, and subject to the conditions set out in, Article 6(2) of the Directive.

Health Surveys

5.—(1) The Department may require an authorised officer to conduct a survey of the health of farmed game kept on any holding and upon being so required the officer shall carry out such examinations and tests on any farmed game kept on that holding as may be necessary for the purpose of detecting in those animals the presence of any disease transmissible to humans and animals or of any residues.

(2) In exercising its powers under paragraph (1), the Department shall ensure that all holdings on which farmed game are kept are subject to survey at regular intervals.

(3) If an authorised officer, on reasonable grounds, suspects that a relevant disease exists on any holding on which farmed game are kept he shall immediately notify the Department of the fact.

(4) Upon being notified under paragraph (3) of the suspected existence of a relevant disease on any holding, the Department shall carry out, or cause to be carried out, such tests on game animals on the holding as are necessary to detect the presence of any such disease.

(5) In this regulation, "relevant disease" means any disease referred to in Annex I to Directive 82/894/EEC(**a**).

Powers of authorised officer

6.—(1) For the purposes of carrying out functions under regulation 5, an authorised officer may at any time, and upon production if so required of his authority, enter on to any land where farmed game animals are kept.

(2) The owner or occupier of any land entered by an officer under paragraph (1) shall give that officer such assistance as is reasonably required by him to pen, restrain or otherwise secure any farmed game animals kept thereon.

(a) O.J. No. L378, 31.12.82, p. 58

Registered premises

7.—(1) The Department, upon being satisfied that any premises complies with the requirements of the Directive for establishments used for the slaughtering and cutting up of farmed game (in this regulation referred to as "the relevant requirements"), shall for the purposes of the Directive—

(*a*) register those premises; and

(*b*) issue a distinguishing registration number in respect of them.

(2) The Department shall appoint a veterinary surgeon to inspect and supervise each premises registered under paragraph (1) and that surgeon shall—

(*a*) at all times have free access to all parts of those premises in order to establish that the relevant requirements of the Directive are being complied with; and

(*b*) report to the Department any breach of those requirements.

(3) Where the Department has registered any premises under paragraph (1), it may by notice in writing withdraw that registration where any breach of the relevant requirements of the Directive have been reported to it, whether under paragraph (2) or otherwise, in relation to those premises.

(4) A notice served under paragraph (3) shall be served on the person in charge of the premises to which it relates and shall inform him of the breaches which caused the notice to be served.

(5) An authorised officer of the Department, upon production if so required of his authority, may at any reasonable time enter any premises used for the slaughtering and cutting up of farmed game or reasonably suspected by him of being used for those purposes and may inspect any farmed game animals or any materials or equipment found on the premises which are or may be used in connection with the slaughter or cutting up of such animals.

(6) An authorised officer entering any premises under paragraph (5) may take with him such other persons including, but not limited to, representatives of the European Commission for the purposes of exercising his functions under that paragraph.

Offences

8. Any person who—

(*a*) contravenes regulation 4(1);

(*b*) with a view to obtaining the registration of any premises under regulation 7 makes a statement which is false or misleading in a material particular;

(*c*) obstructs an authorised officer or a veterinary surgeon in carrying out his functions under these Regulations; or

(*d*) fails to comply with any requirement imposed on him under regulation 6(2),

shall be guilty of an offence and liable upon summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding three months or to both.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 5th December 1995.

(L.S.) *L. Sinclair*

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations implement those provisions of Council Directive 91/495/EEC ("the Directive") which relate to the production and placing on the market of large farmed game meat. They do not apply to rabbits or birds or to their meat.

The Regulations:—

(*a*) require that all farmed game meat produced and marketed within Northern Ireland must comply with the requirements of the Directive (regulation 4);

(*b*) require the Department to monitor the health of large farmed game animals particularly with regard to the diseases referred to in Annex I to Directive 82/894/EEC (regulation 5);

(*c*) give powers of entry to authorised officers into premises where large farmed game are kept (regulation 6);

(*d*) require the Department to register premises which comply with the requirements of the Directive for approval and to appoint a veterinary surgeon to supervise such premises (regulation 7); and

(*e*) create offences and prescribe penalties (regulation 8).