
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 493

**Fresh Meat (Hygiene and Inspection)
Regulations (Northern Ireland) 1997**

Part VI

Administration, Penalties and Enforcement

Records of inspections

18.—(1) The Department shall keep in respect of individual licensed premises, where appropriate, a record, for the purpose of compliance with the provisions of Council Directive [91/497/EEC\(1\)](#), of the results of—

- (a) ante-mortem health inspections; and
- (b) post-mortem health inspections.

(2) The Department shall retain the record of such an inspection until the end of the period of one year commencing with the date of the inspection to which it relates.

Duties of occupier

19.—(1) The occupier of any licensed premises—

- (a) shall keep a record adequate to show the number of animals received into, and the amounts of fresh meat despatched from, the premises during each week;
- (b) shall 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) shall ensure that an OVS, Meat Inspector or a veterinary officer is provided with adequate facilities so as to enable him to carry out his duties under these Regulations and that he is given such reasonable assistance and access to records as he may from time to time require for that purpose;
- (d) shall take all necessary measures to ensure that, at all stages of production, the requirements of these Regulations are complied with and shall carry out checks (including any microbiological checks the Department may require) on the general hygiene of conditions of production in his establishment to ensure that equipment and, if necessary, fresh meat, comply with the requirements of these Regulations;
- (e) shall keep in permanent form a record of the results of those checks and make it available to the OVS or Meat Inspector upon request;
- (f) shall keep in permanent form a record of the results of water testing on the premises and make it available to the OVS for inspection upon request;

- (g) shall ensure that the health mark is properly applied as provided for in regulation 10, and that any labels on which the health mark is printed are used properly;
- (h) shall ensure that the OVS or Meat Inspector is notified immediately when any information at the occupier's disposal reveals a serious health risk; and
- (i) shall, in the event of a serious health risk, ensure that fresh meat is withdrawn if it has been obtained under or stored in conditions similar to those which produced the risk and is itself likely to present the same risk.

(2) The occupier shall retain records required to be kept under this regulation until the end of the period of one year from the date of the check.

(3) The occupier of licensed premises shall arrange or establish in consultation with the OVS a staff training programme to train staff to comply with hygiene requirements appropriate to the operations that they perform on those premises.

Offences and penalties

20.—(1) If any person contravenes—

- (a) regulation 9(1); or
- (b) regulation 11(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—

- (a) any other provision of these Regulations; or
- (b) a condition imposed by the Department under regulation 5(4),

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.

(3) Neither paragraph (1) nor paragraph (2) applies to anything done or omitted by the Department.

(4) A prosecution for an offence under any of the provisions mentioned in paragraph (2) shall not 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.

Application of various Articles of the Order

21. The following provisions of the Order shall apply for the purposes of these Regulations as they apply for the purposes of Articles 7, 13 and 14 of the Order and, unless the context otherwise requires, any reference in them to the Order shall be construed as a reference to the Regulations—

- Article 2(4) (extended meaning of “sale”);
- Article 3 (application to food offered as prizes, etc.);
- Article 4 (presumption that food intended for human consumption);
- Article 19 (offences due to fault of another person);
- Article 20 (defence of due diligence);

Article 34 (obstruction, etc. of officers).

Supervision and enforcement

22. These Regulations shall be enforced and executed by the Department.