
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 495

Animal By-Products Regulations (Northern Ireland) 2003

PART IV

APPROVED PREMISES AND COMPETENT AUTHORITIES

Sampling at biogas and composting plants

19.—(1) In the case of approved biogas and composting plants the operator shall, at intervals specified in the approval, take a representative sample of material which has been treated to the time temperature parameters specified in Part II of Schedule 1 or the Community Regulation and send it for testing for Salmonella and *Enterobacteriaceae* (or, in the case of material derived from catering waste, Salmonella only) in a laboratory approved to carry out those tests.

(2) A person shall not consign any material from a biogas or composting plant until the results of the tests relating to that material carried out in accordance with paragraph (1) are received from the laboratory.

(3) In the event of tests carried out in accordance with paragraph (1) establishing that treated material does not comply with the limits in Annex VI, Chapter II, paragraph 15 to the Community Regulation, the operator shall –

- (a) immediately notify the Department giving full details of the failure, the nature of the sample and the batch from which the material was derived;
- (b) ensure that no digestion residue or compost suspected or known to be contaminated is moved from the premises unless –
 - (i) it has been re-treated under the supervision of the Department and resampled and re-tested by the Department, and the re-testing has shown that the re-treated digestion residue or compost complies with the standards in the Community Regulation; or
 - (ii) it is consigned for processing or incineration at an approved processing plant or incinerator or (in the case of catering waste) it is consigned to an approved landfill site meeting the requirements of Council Directive [1999/31/EC](#) on the landfill of waste⁽¹⁾; and
- (c) record the action taken in accordance with this regulation.

(4) A person who contravenes any provision of this regulation shall be guilty of an offence.