
STATUTORY INSTRUMENTS

1991 No. 2242

AGRICULTURE

The Beef Carcase (Classification) Regulations 1991

<i>Made</i>	- - - -	<i>8th October 1991</i>
<i>Laid before Parliament</i>		<i>10th October 1991</i>
<i>Coming into force</i>		
<i>All regulations except regulations 5, 6, 7 and 8(1)</i>		<i>31st October 1991</i>
<i>Regulations 5, 6 7 and 8(1)</i>		<i>1st January 1992</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Economic Community, acting jointly in exercise of the powers conferred upon them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

Title, extent and commencement

1. These Regulations, which may be cited as the Beef Carcase (Classification) Regulations 1991 shall apply in Great Britain and shall come into force—

- (a) as respects all regulations except for regulations 5, 6, 7 and 8(1) on the 31st October 1991; and
- (b) as respects regulations 5, 6, 7 and 8(1) on the 1st January 1992.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

(1) 1972/1811.

(2) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read, as regards England and Wales in relation to offences triable only summarily, with sections 37, 40 and 46 of the Criminal Justice Act 1982 (c. 48), in relation to offences triable on indictment or summarily, with section 32 of the Magistrates Courts' Act 1980 (c. 43), and, in each case, with S.I. 1984/477; as regards Scotland in relation to offences triable only summarily, with sections 289F and 289G of the Criminal Procedure (Scotland) Act 1975 (c. 21), as inserted by section 54 of the Criminal Justice Act 1982, in relation to offences triable on indictment or summarily, with section 289B of the Criminal Procedure (Scotland) Act 1975, as inserted by paragraph 5 of Schedule 11 to the Criminal Law Act 1977 (c. 45) and amended by section 55 of the Criminal Justice Act 1982, and, in each case, with S.I. 1984/526.

“adult bovine animal” has the meaning assigned to it by Article 1(2) of Council Regulation (EEC) No 805/68 on the common organisation of the market in beef and veal⁽³⁾ as amended⁽⁴⁾;

“appropriate Minister”—

(a) in relation to England, means the Minister of Agriculture, Fisheries and Food;

(b) in relation to Scotland or Wales, means the Secretary of State;

“authorised officer” means a person (whether or not an officer of that Minister) authorised by the appropriate Minister for the purposes of these Regulations;

“classification” means the classification of regulated carcasses in accordance with Articles 3 and 4(1) of Council Regulation (EEC) No 1208/81 determining the Community scale for the classification of carcasses of adult bovine animals⁽⁵⁾ as amended ⁽⁶⁾;

“classification requirements” means the requirements relating to the classification and identification of carcasses specified in the Community provisions and in regulations 5, 6, 7 and 8 of these Regulations;

“Commission Regulation” means Commission Regulation (EEC) No 344/91 laying down detailed rules for applying Council Regulation (EEC) No 1186/90 extending the scope of the Community scale for the classification of adult bovine animals⁽⁷⁾;

“Community provision” means a provision of a regulation of the European Communities referred to in column 1 of Schedule 1 to these Regulations which is specified in column 2 thereof, and the subject matter of which is described in column 3 thereof, opposite the reference to that regulation;

“exempt carcass” means a regulated carcass which has been obtained in the circumstance specified in the second indent to Article 2(2) of the Commission Regulation;

“exempt occupier” means an occupier of a regulated slaughterhouse to which the first indent to Article 2(2) of the Commission Regulation applies;

“MLC” means the Meat and Livestock Commission established under section 1 of the Agriculture Act 1967⁽⁸⁾;

“occupier” means a person carrying on the business of a regulated slaughterhouse;

“pistola cut carcass” has the meaning assigned to it in paragraph 2 of Schedule 3 to these Regulations;

“prescribed communication” means communication of the results of classification as required by Article 1(2) of Council Regulation (EEC) No 1186/90 extending the scope of the Community scale for the classification of carcasses of adult bovine animals⁽⁹⁾;

“regulated carcass” means a carcass or half carcass(f) of an adult bovine animal which, in relation to such an animal slaughtered in England and Wales, has been marked in accordance with regulation 8(3) of and Schedule 11 to the Fresh Meat Export (Hygiene and Inspection) Regulations 1987⁽¹⁰⁾ or, in relation to such an animal slaughtered in Scotland, has been marked in accordance with regulation 8(4) of and Schedule 11 to the Fresh Meat Export (Hygiene and Inspection)(Scotland) Regulations 1987⁽¹¹⁾ (both of which Regulations implement in part the

(3) OJ No L148, 28.6.68, p.24 (OJ/SE vol I p.187).

(4) Relevant amending regulations of the European Communities are Council Regulation (EEC) No 425/77 (OJ No L61, 5.3.77, p.1) and Council Regulation (EEC) No 3905/87 (OJ No L370, 30.12.87 p.7).

(5) OJ No L123, 7.5.81, p.3.

(6) Amended by Council Regulation (EEC) No 1026/91 (OJ No L106, 26.4.91, p.2.).

(7) OJ No L41, 14.2.91, p.15.

(8) 1967 c. 22.

(9) OJ No L119, 11.5.90, p.32.

(10) See definition of “carcass” and “half-carcass” in Article 2 of Council Regulation (EEC) No 1208/81.

(11) S.I. 1987/2237, as amended by S.I. 1990/2493.

provisions of Council Directive [64/433/EEC](#) on health problems affecting intra-Community trade in fresh meat⁽¹²⁾ as amended⁽¹³⁾;

“regulated slaughterhouse” means, in relation to a slaughterhouse in England and Wales, an export slaughterhouse as defined in regulation 2(1) of the Fresh Meat Export (Hygiene and Inspection) Regulations 1987 and, in relation to a slaughterhouse in Scotland, an export slaughterhouse as defined in regulation 2(1) of the Fresh Meat Export (Hygiene and Inspection) (Scotland) Regulations 1987;

“veterinary approval number” means the serial number allocated in relation to the approval of a regulated slaughterhouse under the Fresh Meat Export (Hygiene and Inspection) Regulations 1987 or the Fresh Meat Export (Hygiene and Inspection) (Scotland) Regulations 1987.

(2) Other expressions used in these Regulations have, in so far as the context admits, the same meanings as in the Community provisions.

(3) In these Regulations unless the context otherwise requires any reference to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule so numbered in these Regulations.

Exemption

3.—(1) Subject to paragraph (2) below the classification requirements shall not be compulsory in relation to an exempt occupier or an exempt carcase.

(2) Notwithstanding (the exemptions from the classification requirements granted under paragraph (1) above, regulations 4, 9(2), 11, 12, 13, 14 and 15 shall apply to an exempt occupier.

Registration

4.—(1) Every person who on the day after the date on which this regulation comes into force is, or on a subsequent date becomes, an occupier shall within 28 days of that date give written notice to the appropriate Minister of the particulars specified in Schedule 2.

(2) Where any change occurs in any of the particulars required to be notified under paragraph (1) above the occupier shall within 28 days of the change give written notice to the appropriate Minister of particulars of the change.

(3) Where an occupier of a regulated slaughterhouse ceases to be its occupier he shall within 10 days of the date of such cessation give written notice to the appropriate Minister of—

(a) the date of such cessation; and

(b) the person (if any) succeeding him as occupier of that slaughterhouse.

(4) Where a regulated slaughterhouse ceases to be such a slaughterhouse its occupier shall within 10 days of such cessation give written notice to the appropriate Minister of the date of such cessation.

Position of marks

5. Subject to regulation 7, the marks to be applied on a regulated carcase in accordance with Article 1(1) of the Commission Regulation shall be applied on the positions as specified in that Article or (except as regards a pistola cut carcase) on the positions as specified in paragraph 1 of Schedule 3.

(12) S.I. 1987/800, as amended by S.I. 1991/289.

(13) OJ No 121, 29.7.64, p.2012/64 (OJ/SE 1963-64 p.185).

Labelling instead of marking

6. Subject to regulation 7, an occupier may instead of marking a regulated carcass in accordance with Article 1(1) of the Commission Regulation and regulation 5, label it in accordance with Article 1(2) of the Commission Regulation and such labels shall be applied on the positions as specified in Article 1(1) of that Regulation or (except as regards a pistola cut carcass) on the positions as specified in paragraph 1 of Schedule 3.

Marking of carcasses intended for intervention or for private storage aid

7. Regulations 5 and 6 shall not apply in relation to a regulated carcass to which—
- (a) Article 4(3) of Commission Regulation (EEC) No 859/89 laying down detailed rules for the application of intervention measures in the beef and veal sector(14) as amended(15) applies, or
 - (b) Article 2(2) of Commission Regulation (EEC) No 3445/90 laying down detailed rules for granting private storage aid for beef and veal(16) applies.

Licensed classifiers

8.—(1) Classification shall not be carried out by any person unless he holds a licence granted under this regulation and complies with the terms and conditions of that licence.

(2) The appropriate Minister may grant a licence to any person appearing to him to be qualified to carry out classifications.

- (3) A licence under this regulation—
- (a) shall come into force on the date of issue of the licence,
 - (b) shall be in the form prescribed in Schedule 4 and shall be subject to such conditions as are also specified in that form, and
 - (c) may be suspended or revoked—
 - (i) for contravention of any condition subject to which the licence was granted, or
 - (ii) in the circumstances referred to in the second paragraph of Article 3(2) of the Commission Regulation.

Keeping, retention and production of records

- 9.—(1) An occupier who is not an exempt occupier shall—
- (a) keep a record of the particulars specified in Part I of Schedule 5 relating to each regulated carcass which is classified in a regulated slaughterhouse occupied by him; and
 - (b) keep a record of the particulars specified in Part II of Schedule 5 relating to each exempt carcass which is obtained in a regulated slaughterhouse occupied by him.
- (2) An exempt occupier shall keep a record of the particulars specified in Part III of Schedule 5.
- (3) A person who under paragraphs (1) or (2) above is required to keep a record shall—
- (a) retain that record for a period of two years from the end of the calendar year to which such record relates; and

(14) No L91, 4.4.89, p.5.

(15) The relevant amending regulation of the European Communities is Commission Regulation (EEC) No 1726/90 (OJ No L160, 26.6.90, p.31).

(16) OJ No L333, 30.11.90, p.30.

- (b) upon demand by an authorised officer produce or cause to be produced such record for inspection by the authorised officer and shall allow him to take copies and make extracts from it.

Classification by the MLC

10.—(1) An occupier may request the MLC to carry out the classification requirements at a regulated slaughterhouse occupied by him.

(2) An occupier shall—

- (a) make such a request by written notice, to be given to the MLC not less than six months before the date on which he requires the MLC to commence the carrying out of the classification requirements at that slaughterhouse, and
- (b) within 30 days from the date of such notice, agree with the MLC a classification charge.

(3) The MLC may—

- (a) notwithstanding paragraph (2)(a) above, accept a notice of less than six months, and
- (b) notwithstanding paragraph (2)(b) above, agree with an occupier a classification charge at any time.

(4) If the occupier and the MLC fail to agree a classification charge, the MLC may refuse to carry out the classification requirements and in such event shall notify the occupier in writing of such refusal.

(5) Where the MLC has received a notice to carry out the classification requirements at a regulated slaughterhouse and agreed with the occupier a classification charge, the MLC shall—

- (a) forthwith notify that occupier in writing of:
 - (i) agreement to carry out the classification requirements at that slaughterhouse;
 - (ii) the classification charge and the period for which such charge is to apply, as agreed between the MLC and that occupier; and
 - (iii) the date of commencement;
- (b) forthwith notify the appropriate Minister in writing of its agreement to carry out the classification requirements at that slaughterhouse and the date of commencement;
- (c) subject to paragraph (6) below, from the date of commencement carry out the classification requirements in respect of every regulated carcass obtained in that slaughterhouse; and
- (d) as soon as reasonably practicable after carrying out such classification requirements provide the occupier with the particulars specified in paragraphs 1, 3 and 5 of Part I of Schedule 5 and any other details relating to such classification requirements as the occupier may reasonably require so as to enable him to give the prescribed communication and to comply with regulation 9.

(6) The MLC having agreed to carry out the classification requirements at a regulated slaughterhouse in accordance with paragraph (5) above may suspend or revoke that agreement if the occupier of that slaughterhouse—

- (a) fails to pay to the MLC on demand the classification charge;
- (b) fails to provide such information and assistance as the MLC may reasonably request so as to enable it to carry out the classification requirements;
- (c) carries out or allows any other person to carry out the classification requirements in respect of any regulated carcass obtained in that slaughterhouse at any time after the date of commencement; or

- (d) fails at any time after the date of commencement to present to the MLC any regulated carcass obtained in that slaughterhouse so as to enable the MLC to carry out the classification requirements in respect of that carcass.
- (7) The MLC having agreed to carry out the classification requirements at a regulated slaughterhouse may suspend or revoke that agreement if the period referred to in paragraph (5)(a)(ii) above has expired without the MLC and that occupier agreeing a classification charge for a further period.
- (8) The MLC shall forthwith give written notice to the occupier and the appropriate Minister of any action it may have taken under paragraphs (6) or (7) above.
- (9) Where the MLC has agreed with an occupier to carry out the classification requirements at his regulated slaughterhouse and has agreed with that occupier a classification charge, that occupier shall not revoke that agreement except—
- (a) by giving to the MLC a further notice in writing to take effect forthwith or on such date as may be specified in that notice where, for whatever reason, the MLC has failed to carry out the classification requirements in respect of every regulated carcass obtained in that slaughterhouse for a continuous period of 2 days (excluding days on which, under that agreement, the MLC is not obliged to carry out such requirements);
 - (b) by agreement with the MLC; or
 - (c) by giving to the MLC a further notice in writing of not less than six months provided that the occupier shall not give such notice during the first six months from the date of commencement.
- (10) The occupier shall forthwith give written notice to the appropriate Minister of any action he may have taken under paragraph (9) above.
- (11) In this regulation—
- “classification charge” means the amount which the occupier of a regulated slaughterhouse may from time to time agree with the MLC to pay to it for the classification requirements to be carried out by the MLC at that slaughterhouse in accordance with this regulation;
- “date of commencement” means the date, agreed between the MLC and an occupier of a regulated slaughterhouse, from which the MLC will carry out the classification requirements at that slaughterhouse;
- “regulated carcass” does not include an exempt carcass.
- (12) In Part I of Schedule 1 to the Agriculture Act 1967, after paragraph 10 there shall be inserted—
- “10A.** Functions under regulation 10 of the Beef Carcass (Classification) Regulations 1991 (undertaking of classification etc of certain carcasses).”.

Powers of authorised officers

- 11.**—(1) An authorised officer may at all reasonable hours and on producing, if so required, some duly authenticated document showing his authority, for the purpose of ascertaining whether the Community provisions or these Regulations have been or are being complied with—
- (a) enter any regulated slaughterhouse or any slaughterhouse which he reasonably suspects to be such a slaughterhouse;
 - (b) inspect any regulated carcass or part of such a carcass or any carcass or part of a carcass which he reasonably suspects to be such a carcass or part of such a carcass in that slaughterhouse;

- (c) examine any records which an occupier is required to keep under regulation 9 and where any such record is kept by means of a computer, have access to and inspect and check the operation of any computer and associated apparatus or material which is or has been in use in connection with that record;
- (d) require that copies of or extracts from any such record be produced and, where such record is kept by means of a computer, require it to be produced in a form in which it may be taken away;
- (e) retain any such record which he has reason to believe may be required as evidence in proceedings under these Regulations.

(2) An authorised officer entering any regulated slaughterhouse or other slaughterhouse by virtue of this regulation may take with him such other persons and such equipment as he considers necessary.

Assistance to authorised officers

12.—(1) An occupier shall give to an authorised officer such assistance as the authorised officer may reasonably request so as to enable the authorised officer to exercise any power conferred under regulation 11.

(2) In paragraph (1) above “occupier” includes the MLC when carrying out the classification requirements under regulation 10.

Notices

13. Any notice to be given under these Regulations or any prescribed communication may be given—

- (a) delivering it to that person;
- (b) by leaving it or sending it in a prepaid letter addressed to him, at his usual or last known place of business or residence;
- (c) in the case of the MLC, by delivery or by post in a registered letter or by recorded delivery service to its Head Office; or
- (d) in the case of a body corporate, by delivery or by post in a registered letter or by recorded delivery service to its registered office or principal place of business in Great Britain.

Offences and penalties

14.—(1) If any person—

- (a) intentionally obstructs an authorised officer in the exercise of the powers conferred by regulation 11; or
- (b) fails to comply with a request under regulation 9(3)(b), 11(1)(d) or 12,

he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) If any person—

- (a) fails to comply with any requirement imposed on him under a Community provision or these Regulations; or
- (b) for the purpose of obtaining a licence under regulation 8 knowingly or recklessly makes a statement which is false in a material particular; or
- (c) makes an alteration to such a licence,

he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(3) Proceedings in England and Wales for an offence under paragraphs (1) or (2) above may be brought within a period of six months from the date on which evidence sufficient in the opinion of the appropriate Minister to justify proceedings comes to his knowledge, and in any case within twelve months from the commission of the offence.

(4) Summary proceedings in Scotland for an offence under paragraphs (1) or (2) above may be commenced within a period of six months from the date on which evidence sufficient in the opinion of the prosecutor to justify proceedings comes to his knowledge, and in any case within twelve months from the commission of the offence, and proceedings shall be deemed to be commenced on the date on which a warrant to apprehend or to cite the accused is granted, if such a warrant is executed without undue delay.

(5) A certificate purporting to be signed—

- (a) for the purposes of paragraph (3) above, by or on behalf of the appropriate Minister, or
- (b) for the purposes of paragraph (4) above, by the prosecutor,

shall be conclusive evidence of the date on which evidence sufficient to justify proceedings came to his knowledge.

(6) If any person—

- (a) makes an entry which he knows to be false in any record which is required to be kept by virtue of regulation 9(1) or (2) or with intent to deceive, makes use of any entry which he knows to be false; or
- (b) with intent to deceive applies to a regulated carcass or part of such a carcass a mark prescribed by Article 1(1) of the Commission Regulation or, to a label attached by virtue of regulation 6, an indication prescribed by Article 1(2) of that Regulation; or
- (c) applies to a regulated carcass or part of such a carcass a mark so closely resembling a mark prescribed by Article 1(1) of the Commission Regulation as to be calculated to deceive or applies to a label attached by virtue of regulation 6 an indication so closely resembling an indication prescribed by Article 1(2) of that Regulation as to be calculated to deceive,

he shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or both, or on conviction on indictment to a fine or to imprisonment for a term not exceeding two years or both.

(7) Where an offence under this regulation which has been committed by a body corporate is proved to have been committed with the consent or connivance, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(8) Where the affairs of a body corporate are managed by its members, the provisions of paragraph (7) of this regulation shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

(9) In paragraph (7) above the references to a “body corporate” include references to a partnership in Scotland and, in relation to such partnership, any reference to a director or other officer of a body corporate is a reference to a partner.

Defense of due diligence

15. It shall be a defence for a person charged with an offence under these Regulations to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by himself or by a person under his control.

witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 4th October 1991.

L.S.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

8th October 1991

Ian Lang
Secretary of State for Scotland

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SCHEDULE 1

Regulations 2(1), 11(1) and 14(2)

COMMUNITY PROVISIONS

(1) <i>Regulations containing Community provision</i>	(2) <i>Provision</i>	(3) <i>Subject Matter</i>
<p>1. Council Regulation (EEC) No 1208/81 determining the Community scale for the classification of carcasses of adult bovine animals (OJ No L123, 7.5.81, p.3), as amended by Council Regulation (EEC) No 1026/91 (OJ No L106, 26.4.91, p.2).</p>	<p>Article 3(1) Article 3(2), read with Annexes I and II</p>	<p>Categories of Carcasses. Classes of conformation and fat cover.</p>
	Article 4(1)	Requirements as to the timing and location of classification.
	Article 4(2)	Requirement to identify carcasses and half-carcasses.
	Article 4(3)	Authorisation to remove external fat.
<p>2. Council Regulation (EEC) No 1186/90 extending the scope of the Community scale for the classification of carcasses of adult bovine animals (OJ No L119, 11.5.90, p.32).</p>	Article 1(1)	Requirement for regulated slaughterhouses to classify and identify regulated carcasses from 1st January 1992.
	Article 1(2)	Requirement to give the prescribed communication.
<p>3. Commission Regulation (EEC) No 2930/81 adopting additional provisions for the application of the Community scale for the classification of carcasses of adult bovine animals (OJ No L293, 13.10.81, p.6) as amended by Commission Regulation (EEC) No 2237/91 (OJ No L204, 27.7.91, p.11).</p>	Article 1, read with Annex	Addition provisions specifying the definition of the classes of conformation and fat cover.
<p>4. Commission Regulation (EEC) No 563/82 laying down detailed rules for the application of Council Regulations (EEC) No 1208/81 (OJ No L67, 11.3.82, p.23) as amended by Commission Regulation (EEC)</p>	Article 2	Requirements as to the criterion for differentiating between categories of uncastrated male animals.

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(1) <i>Regulations containing Community provision</i>	(2) <i>Provision</i>	(3) <i>Subject Matter</i>
No 1935/83 (OJ No L191, 15.7.83, p.41) and Commission Regulation (EEC) No 3402/85 (OJ No L322, 3.12.85, p.14).	Article 3	Requirements as to the removal of external fat.
5. Commission Regulation (EEC) No 344/91 laying down details rules for applying Council Regulation (EEC) No 1186/90 (OJ No L41, 14.2.91, p.15).	Article 1(1)	Requirements as to the identification of regulated carcasses by marking.
	Article 1(2)	Requirements as to the identification of regulated carcasses by labelling.
	Article 1(3)	Prohibition on the removal of marks and labels before boning.
	Article 1(4)	Requirement to indicate the category of carcase.
	Article 2(3)	Exemption from the identification requirements.

SCHEDULE 2

Regulations 2(1) and 4(1)

PARTICULARS OF THE OCCUPIER OF A REGULATED SLAUGHTERHOUSE TO BE NOTIFIED TO THE APPROPRIATE MINISTER

- (i) If an individual, his name and address;
 - (ii) If a joint owner or a partnership, the full names and addresses of the joint owners or partners;
 - (iii) If a body corporate, the full name, registered office and registration number of the body corporate;
 - (iv) If the council of a London borough, the name and address of the council.
2. The address, telephone number and veterinary approval number of the regulated slaughterhouse.
 3. The principal place of business of the occupier, if different from item 2 above.
 4. The name under which the regulated slaughterhouse is operated, if different from item 1 above.
 5. The date on which he became occupier of the regulated slaughterhouse, if later than 31st October 1991.

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6. A reasonable forecast (expressed as a weekly average) of the number of adult bovine animals to be slaughtered in the regulated slaughterhouse during the next twelve months, based on the actual number of such animals slaughtered in that slaughterhouse (if any) during the preceding twelve months or other relevant factors.

SCHEDULE 3

Regulations 2(1), 5 and 6

ALTERNATIVE POSITIONS OF MARKS AND LABELS TO BE APPLIED ON REGULATED CARCASSES

- (a) (a) Hindquarters: between the eleventh and thirteenth rib inside the carcase.
- (b) Forequarters: between the third and fifth rib inside the carcase.

DEFINITION OF “PISTOLA CUT CARCASE”

- 2. “Pistola cut carcass” means a regulated carcass where after classification and identification—
 - (a) the pistola and flank are separated by a horizontal cut immediately opposite to the middle of the last lumbar vertebra then continuing downwards in a line parallel to the fillet so that this is practically free from attached parts of the flank and severed from the thirteenth to the sixth rib (inclusive) by a line parallel to the dorsal edge of the vertebral spine; and
 - (b) the hindquarters are separated from the forequarters by a horizontal cut between the fifth and sixth ribs extending through the backbone.

SCHEDULE 4

Regulations 2(1) and 8

FORM OF CLASSIFICATION LICENCE

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This licence is granted under regulation 8 of the Beef Carcase (Classification) Regulations 1991 ("the Regulations") to:

Name in full Mr/Mrs/Miss
of

(Name and head office address of
employer or, if self employed, home address)

and authorises you to carry out the classification of regulated carcasses in accordance with the Regulations and the Community provisions specified therein.

The loss of this licence must be reported to the issuing Department at once.

If found this licence must be handed in at the nearest police station.

Conditions

The licence—

1. is valid only for use in regulated slaughterhouses in Great Britain,
2. is not transferable to any other person,
3. must be kept in your possession when you are engaged in classification or any activities associated therewith and be made available for inspection by authorised officers of the issuing Department on demand,
4. becomes invalid if you leave the employment of the employer specified on this licence or (if self employed) your home address changes, and
5. remains the property of the issuing Department, may be suspended or revoked by the Department in accordance with the Regulations and must be surrendered to the Department on demand or on becoming invalid.

Issued by on (date)

(photograph)

Signature
Chief Fatstock Officer/Chief Meat and Livestock
Inspector

(for and on behalf of the Minister
of Agriculture, Fisheries and Food/
Secretary of State for Scotland/
Secretary of State for Wales)

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SCHEDULE 5

Regulations 2(1) and 9

PART I

RECORDS TO BE KEPT BY OCCUPIER FOR EACH REGULATED CARCASE CLASSIFIED

1. The results of the classification.
2. The veterinary approval number of the regulated slaughterhouse.
3. The kill or slaughter number of the animal from which the regulated carcase was obtained, as allocated by the occupier.
4. The date of slaughter.
5. The weight of the regulated carcase.
6. A record that the prescribed communication has been effected.
7. The name and Classification Licence serial number of the person who carried out the classification.

PART II

RECORDS TO BE KEPT BY OCCUPIER FOR EACH EXEMPT CARCASE OBTAINED

1. The veterinary approval number of the regulated slaughterhouse.
2. The kill or slaughter number of the animal from which the exempt carcase was obtained, as allocated by the occupier.
3. The name and address of the retailer on whose account the exempt carcase was obtained.

PART III

RECORDS TO BE KEPT BY EXEMPT OCCUPIER

1. The veterinary approval number of the regulated slaughterhouse.
2. Details relating to the number of all adult bovine animals slaughtered in that regulated slaughterhouse, recorded in such form so as to indicate clearly to an authorised officer the number of such animals slaughtered in any consecutive period of twelve months.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulations, which apply to Great Britain only, provide for the administration and enforcement of the Community system of classification of beef carcasses (“the Community system”), as required by Article 3 of Council Regulation (EEC) No 1186/90 (OJ No L119, 11.5.90, p.32).

The Community system requires:

- (a) the classification of carcasses and half-carcasses in accordance with the Community scale defined by Article 3 of Council Regulation (EEC) No 1208/81 (OJ No L123, 7.5.81, p.3), as amended, and by Commission Regulation (EEC) No 2930/81 (OJ No L293, 13.10.81, p.6), as amended;
- (b) the identification of carcasses and half-carcasses which have been so classified by means of a mark or, if a Member State so authorises, a label (Articles 1 and 2(3) of Commission Regulation (EEC) No 344/91 (OJ No L41, 14.2.91, p.15));
- (c) the communication of the results of classification to the person who has the slaughtering carried out (Article 1(2) of Council Regulation (EEC) No 1186/90); and
- (d) the classification to be carried out only by qualified technicians who have obtained a licence for that purpose (Article 3(1) of Commission Regulation (EEC) No 344/91).

As from 1st January 1992 occupiers of slaughterhouses which are approved for intra-Community trade in fresh meat under Article 8 of Council Directive 64/433/EEC (OJ/SE 1963-64 p.185), as amended, (in the Regulations defined as “regulated slaughterhouses”) are obliged, subject to specified exemptions in relation to classes of occupier and of carcase, which may be adopted by Member States, to operate the Community system in relation to all carcasses and half-carcasses bearing the Community health stamp as provided for in Article 3 of that Directive (in the Regulations defined as “regulated carcasses”). The Fresh Meat Export (Hygiene and Inspection) Regulations 1987 (S.I.1987/2237), as amended, and the Fresh Meat Export (Hygiene and Inspection) (Scotland) Regulations 1987 (S.I. 1987/800), as amended, implement these provisions of the Directive in England and Wales and in Scotland respectively.

The Regulations—

- (a) make provision for exemptions from the Community system (regulation 3);
- (b) require every occupier of a regulated slaughterhouse to give the appropriate Agriculture Minister specified particulars of his business (regulation 4);
- (c) in the case of regulated carcasses which are not intended for sale into intervention or for private storage aid, authorise replacement of identification marking by the use of labels and specify alternative positions on which marks and labels may be applied (regulations 5, 6 and 7);
- (d) make provision for the granting of classification licences (regulation 8);
- (e) require occupiers of regulated slaughterhouses to keep, retain and produce specified records (regulation 9);
- (f) empower the Meat and Livestock Commission to carry out classifications and identifications of regulated carcasses and make provision for its entering into agreements with occupiers of regulated slaughterhouses for such purpose (regulation 10);

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- (g) confer on authorised officers of the Agriculture Ministers powers of entry and inspection for the purpose of ensuring compliance with the Community system and the Regulations and require that such assistance be given them for that purpose as they may reasonably request (regulations 11 and 12);
- (h) provide for the service of notices (regulation 13); and
- (i) create offences and penalties, and provide for defences (regulations 14 and 15).