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STATUTORY INSTRUMENTS

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**2005 No. 2347**

**The Animal By-Products Regulations 2005**

**PART 7**

**Records**

**Records**

**32.**—(1) Any person required to keep a record under these Regulations must keep it for at least two years, and failure to do so is an offence.

(2) A record may be in written or electronic form.

**Records for consigning, transporting or receiving animal by-products**

**33.** Any person who fails to comply with Article 9(1) of the Community Regulation is guilty of an offence.

**Records for burying or burning of animal by-products**

**34.** Any person who fails to comply with Article 9 of Commission Regulation [\(EC\) No. 811/2003](#) is guilty of an offence.

**Records for disposal or use on premises**

**35.**—(1) Subject to paragraph (2), an operator of any premises who disposes or uses any animal by-product (other than manure or material excluded from the Community Regulation by Article 1(2) of that Regulation), or processed product on the premises must make on disposal or use a record of each disposal or use, showing the date on which the animal by-product was disposed of or used and the quantity and description of the material disposed of or used, and failure to do so is an offence.

(2) The requirement in paragraph (1) does not apply to disposal on the premises by feeding of animal by-products or processed products to reptiles and birds of prey other than zoo or circus animals.

**Delivery records to be kept by operators of biogas and composting plants**

**36.** The operator of any biogas or composting plant receiving catering waste must record—

- (a) the date on which the catering waste was delivered to the premises;
- (b) the quantity and description of the catering waste, including a statement of whether measures were taken at source to ensure that meat was not included in the waste; and
- (c) the name of the haulier;

and failure to do so is an offence.

### **Treatment records for biogas and composting plants**

**37.** The operator of a biogas or composting plant treating catering waste or other animal by-products must record—

- (a) the dates on which the material is treated;
- (b) a description of the material treated;
- (c) the quantity of material treated;
- (d) the result of all checks carried out at the critical points identified under paragraph 4 of Part I of Schedule 1; and
- (e) sufficient information to show that the material has been treated to the required parameters;

and failure to do so is an offence.

### **Records for approved laboratories**

**38.** The operator of a laboratory approved under regulation 21 must, as soon as is reasonably practicable, record—

- (a) the name and address of the premises at which the sample was taken;
- (b) the date on which the sample was taken;
- (c) the description and identity of the sample;
- (d) the date on which the sample was received at the laboratory;
- (e) the date on which the sample was tested at the laboratory; and
- (f) the result of the test;

and failure to do so is an offence.

### **Records to be kept for consignments of compost or digestion residue**

**39.—(1)** Subject to paragraph (2), the occupier of premises on which ruminant animals, pigs or birds are kept must, as soon as is reasonably practicable, record—

- (a) the date on which compost or digestion residue is brought on to those premises;
- (b) the quantity and description of the compost or digestion residue;
- (c) the land to which the compost or digestion residue is applied;
- (d) the date of such application;
- (e) the date on which the land is first cropped or the date on which ruminant animals, pigs or birds (other than wild birds) were allowed access to the land, whichever is the sooner;

and failure to do so is an offence.

(2) The requirement in paragraph (1) to make records does not apply in the case of any supply of compost or digestion residue for use at any premises used only as a dwelling.