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| SUSTAINABLE AGRI FOOD DEVELOPMENTAgri Food Policy II | A4 DAERA Logo process.png |
|  |  |   | Room 131, Dundonald HouseUpper Newtownards RoadBallymiscawBelfast BT4 3SBTelephone: 028 9052 4084Email: Stephen.johnston@daera-ni.gov.uk |
|  |  | 02 November 2018 |

**Dear Stakeholder,**

**The Carcase Classification and Price Reporting Regulations (Northern Ireland) 2018**

1. We are seeking views from stakeholders on some changes to carcase classification and price reporting in respect of beef and pigs.

**Summary**

1. EU rules require abattoirs to dress, identify, categorise, classify and weigh carcases according to common standards where regulated animals are presented for slaughter. Following a review, the European Commission decided to make these requirements more transparent and reduce administrative and regulatory burdens. As a result, new rules have been set in [Commission Delegated Regulation (EU) No. 2017/1182](https://eur-lex.europa.eu/eli/reg_del/2017/1182/oj) and [Commission Implementing Regulation (EU) No. 2017/1184](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017R1184). It is now necessary to reflect these new rules in domestic legislation.

**Background**

1. The application of classification of beef and pig carcases is mandatory where an abattoir’s throughput is above set limits as a weekly average over a year. The new EU Regulations increase these thresholds, but this will have no impact in Northern Ireland as abattoirs here already exceed the Commission scale threshold.
2. There is also a requirement for beef abattoirs over a certain annual threshold to report details of deadweight prices. The new EU Regulations extend this requirement to pig abattoirs, meaning existing voluntary pig price reporting will be mandatory and will be subject to enforcement; we expect this to have a minimal impact on those affected.

**Northern Ireland Legislation**

1. DAERA proposes to implement the following new requirements of the EU Regulations through the Carcase Classification and Price Reporting Regulations (Northern Ireland) 2018:
* Increased thresholds for mandatory classification of beef carcases (bovines aged 8 months and over) from 75 to 150 carcases per week; and for mandatory classification of pig carcases from 200 to 500 carcases per week (both on an annual average basis).

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* Pig abattoirs which are classifying to provide the following details to the suppliers of animals sent for slaughter: classification results, carcase weights, carcase presentation and (where applicable) if the classification has been carried out using an automated grading technique. *Further details on the key changes for pig processing are outlined in Appendix 1.*
* Pig abattoirs slaughtering over the new thresholds (500 pigs per week) to supply details of deadweight prices for certain weight categories of pigs to the Competent Authority (or third party on behalf of the Competent Authority), who will then collate and send a weekly return to the European Commission. The categories are 60kg to <120kg (codes S and E) and 120kg to <180kg (code R).
* An additional deadweight category, U4 to be price reported to LMC for bovine carcases of other female animals aged from 12 months

The regulations will also correct a number of out of date references to other EU legislation.

**Derogation – marking of carcases**

1. Previously, derogations were provided in The Beef and Pig Carcase Classification Regulations (NI) 2010) for the marking of beef and pig carcases not to be compulsory if (i) a bovine carcase was labelled instead of being marked and (ii) an official record was kept in relation to an individual pig carcase instead of being marked.

[Commission Delegated Regulation (EU) No. 2017/1182](https://eur-lex.europa.eu/eli/reg_del/2017/1182/oj) provides a new derogation for the marking of beef and pig carcases not to be compulsory if instead:

1. an official record is drawn up and includes for each carcase at least:
	1. individual identification by any unalterable means,
	2. warm weight of the carcase, and
	3. result of the classification.
2. All the carcases are cut, as a continuous operation, in a cutting plant approved in accordance with Regulation (EC) No 853/2004 of the European Parliament and of the Council and attached to the slaughterhouse.

The Department has not yet come to a view on implementing the above derogation in the 2018 regulations here. Therefore, we are seeking the views of stakeholders on the derogation as part of this consultation. We wish to know if you think the derogation on the marking of carcases should be provided in the 2018 regulations (i) for beef and pigs (similar to the 2010 regulations), OR (ii) for pigs only, OR (iii) not at all? We would like to know the reasons for your answer, for example if there would be implications for the operation of the supply chain. We also want to know to what extent it is important that we harmonise with the position in other parts of the UK.

The information stakeholders provide will help to inform the Department’s decision in relation to the derogation here.

**You are invited to consider and provide your response on the proposed use of the derogation for the marking of carcases in the attached Appendix 2.**

**Implementation**

1. The new EU legislation is directly applicable from 11 July 2018. These rule changes together with their enforcement provisions, will be established in domestic law. The derogation would apply only from the date introduced in domestic law.
* DAERA’s Inspectors will implement inspections at abattoirs.
* The frequency of on-the-spot inspections and the minimum number of carcases to be inspected, for both beef and pigs, will be determined using a risk based analysis calculated from key questions around the nature of the operation and its past compliance history, such as throughputs, method of classification and record keeping.
* If there is reason to believe that a person has committed an offence under these Regulations, an enforcement notice and appropriate penalty may be issued or a prosecution may be brought.
1. Section 75 screening, a Rural Needs Impact Assessment, and a proportionate Regulatory Impact Assessment have been drafted. These drafts anticipate no adverse impacts will arise as a result of the Regulations being introduced. They can be accessed at the following link: <https://www.daera-ni.gov.uk/node/35792> . These Assessments will be finalised in advance of legislation being made.

**If you would like to comment or raise an issue in relation to any of the planned changes, please reply by 29 November 2018 to** **Paula.Magill@daera-ni.gov.uk**

Yours sincerely



STEPHEN JOHNSTON

SUSTAINABLE AGRI FOOD DEVELOPMENT BRANCH

AGRI-FOOD POLICY II

**APPENDIX 1**

**KEY CHANGES FOR PIG PROCESSING**

The new legislation is intended to focus classification and price reporting on commercial scale abattoirs. It will extend *mandatory* price reporting arrangements to pig abattoirs. Some pig processors already undertake similar functions on a voluntary basis.

There is currently a throughput threshold for the mandatory application of classification of beef and pig carcasses set as a weekly average over a year. Carcase classification rules will apply to pig abattoirs which process 500 carcases per week (based on an annual average basis).

There will be a requirement for pig abattoirs who are classifying:

* to provide details of classification results to the suppliers of animals sent for slaughter.

Details of pig categories will be:

* 60kg to <120kg (codes S and E) and
* 120kg to <180kg (code R).

There will also be a requirement for pig abattoirs:

* to supply details of deadweight prices for certain weight categories of pigs. These details will be collated and sent, on a weekly basis, to the European Commission (arrangements to be made by DAERA).

Pig abattoirs may already currently classify carcases and inform suppliers of classification outcomes (through ‘kill sheets’ or similar means). The proposal therefore formalises what some are already doing as current practice.

Mandatory price reporting, which was previously voluntary, increases regulation which on aggregate will result in a nominal cost increase for the pig processing sector.

**Derogation – marking of carcases**

DAERA is inviting stakeholders’ views on the provision of a derogation for the marking of carcases not to be compulsory, provided that:

1. an official record is drawn up and includes for each carcase at least:
	1. individual identification by any unalterable means,
	2. warm weight of the carcase, and
	3. result of the classification.
2. All the carcases are cut, as a continuous operation, in a cutting plant approved in accordance with Regulation (EC) No 853/2004 of the European Parliament and of the Council and attached to the slaughterhouse.

**The proposed legislation will create new obligations for pig processors. The Department is offering to meet with pig processors (for example, abattoirs) to explain the impact of pig carcase classification and price reporting becoming mandatory. Please let the Department know if you would like to take up the offer of a meeting.** Contact details are set out in the attached letter.

**APPENDIX 2**

**RESPONSE ABOUT THE DEROGATION FOR MARKING OF CARCASES**

There is a derogation in the EU rules for the marking of carcases not to be compulsory, provided that:

1. an official record is drawn up and includes for each carcase at least:
	1. individual identification by any unalterable means,
	2. warm weight of the carcase, and
	3. result of the classification.
2. All the carcases are cut, as a continuous operation, in a cutting plant approved in accordance with Regulation (EC) No 853/2004 of the European Parliament and of the Council and attached to the slaughterhouse.

**Question 1. Should the derogation for the marking of carcases be included in the NI regulations:**

**(i) for beef carcases and pig carcases?**

**YES / NO**

**Please state why**

**(ii) for pig carcases only?**

**YES / NO**

**Please state why**

**(iii) for neither beef carcases nor pig carcases?**

**YES / NO**

**Please state why**

**Question 2. To what extent is it important that we harmonise with the position in other parts of the UK?**

**NAME OF ORGANISATION RESPONDING: (INSERT NAME)**