

Fallen stock and the disposal of animal by-products

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This guidance is for England

The Animal By-Products (Enforcement) (England) Regulations 2013 require that fallen farm animals (including stillborn animals) are collected, transported and disposed of, by authorised means, without undue delay. Burial or burning is not permitted.

Carcases from fallen cattle aged over 48 months (not slaughtered for human consumption) must be tested for bovine spongiform encephalopathy (BSE).

Animal by-products must be transported in covered leakproof containers / vehicles and be accompanied by a commercial document.

Definition of 'animal by-products'

'Animal by-products' are defined in article 3 of EU Regulation (EC) No 1069/2009 *laying down health rules as regards animal by-products and derived products not intended for human consumption* as "entire bodies or parts of animals, products of animal origin or other products obtained from animals, which are not intended for human consumption, including oocytes, embryos and semen".

Animal by-product, for the purpose of this guide, includes:

- animals and parts of animals that have died other than by being slaughtered for human consumption
- where specified risk material has not been removed, entire bodies of dead animals containing specified risk material

Categories

Animal by-products can fall into one of three categories:

- category 1 material is the highest risk and consists principally of material that is considered a transmissible spongiform encephalopathy (TSE) risk, such as specified risk material (SRM, which are those parts of an animal considered most likely to harbour a disease such as BSE - for example, bovine spinal cord). Pet animals, zoo and circus animals and experimental animals are also classified as category 1 material
- category 2 material includes fallen stock, manure and digestive tract content
- category 3 material includes parts of animals that have been passed fit for human consumption in a slaughterhouse, but are not intended for consumption, either because they are not parts of animals that we normally eat (for example, hides, hair, feathers, bones) or for commercial reasons

Collection, transportation & disposal

The Animal By-Products (Enforcement) (England) Regulations 2013 require that fallen farm animals - generally category 2 material, including stillborn animals - are collected and transported without undue delay to one of the following:

- knacker
- hunt kennel
- maggot farm
- incinerator
- renderer

More information on fallen stock and the safe disposal of dead animals can be found on the GOV.UK website.

All animal by-products must be collected, identified and disposed of without undue delay, in order to prevent risks arising to public and animal health.

Animal by-products must be transported in sealed new packaging, or covered leakproof containers or vehicles.

Containers should be dedicated to the use of specific categories of animal by-products; if not they must be cleaned and disinfected after each use in order to prevent cross-contamination.

Animal by-products must be identified in accordance with the Animal By-Products (Enforcement) (England) Regulations 2013:

- category 1 material must be labelled 'For disposal only'
- category 2 material must be labelled 'Not for animal consumption' (with limited exceptions)
- category 3 material must be labelled 'Not for human consumption'

You must ensure all animal by-products are covered or contained whilst awaiting collection / disposal to prevent animals and birds gaining access.

Documentation

The person consigning the animal by-product must keep a record of each consignment and ensure that identifying documentation (a commercial document) accompanies the by-product during its transport.

Such records must show as a minimum:

- date of transport*
- quantity and description of material*
- category description of the material*
- name and address of origin of material
- name and address of transporter*
- name and address of destination and approval / registration number (if applicable)*
- signature of responsible person (generally the person producing the document)

If the document is produced by the consignor, it should be signed by the consignor. If the document is produced by the transporter, it should be signed by the transporter. Each movement of animal by-products and derived products must be accompanied by the top copy of the commercial document, which has to be left at the destination premises. The premises of origin and the transporter each retain a copy.

A commercial document template is attached for your use.

As a consignor of animal by-product waste you must keep a record showing the bullet points asterisked above. In most cases, the copy of the commercial document can serve as your record. However, it is advisable to have additional records in book form or electronically, as appropriate.

Commercial documents and all records relating to animal by-products must be retained for at least two years and produced on demand to an inspector.

Derogations

Various derogations are available regarding the disposal of animal by-products (ABPs) and, amongst others, the Government has applied the following derogations.

Burial or burning on-site of farm animal carcasses is only permitted in England on the Isles of Scilly and Lundy Island. Disposal in this way is subject to strict rules and record keeping and does not include TSE suspects.

The burial of dead pet animals is allowed. The definition of 'pet animal' in EU Regulation (EC) No 1069/2009 is "any animal belonging to species normally nourished and kept but not consumed, by humans for purposes other than farming". Normal farm species such as sheep, cattle, pigs, goats and poultry fall outside this definition; therefore they can never legally be regarded as pets and must be disposed of by an approved route other than burial.

The burial of horses is allowed. Before burying a horse, advice should be sought from the Environment Agency or your local authority on the correct procedure - for example, deciding on the location of the burial site to take account of factors such as access by animals and the potential for leaching into watercourses.

More detailed information on derogations from animal by product controls can be found on the GOV.UK website.

BSE monitoring: cattle over 48 months

Carcasses from fallen cattle (not slaughtered for human consumption) aged over 48 months need to be tested for BSE. Farmers must contact a collector within 24 hours of death to arrange delivery to an

approved sampling site.

If delivering the carcasses themselves, they should contact an approved sampling site to agree to this within 24 hours, and must deliver the carcass within 48 hours. Contact your normal collector or the National Fallen Stock Company (NFSCo) on 01335 320014.

Penalties

Failure to comply with trading standards law can lead to enforcement action and to sanctions, which may include a fine and/or imprisonment. For more information please see 'Trading standards: powers, enforcement & penalties'.

Key legislation

EU Regulation (EC) No 1069/2009 *laying down health rules as regards animal by-products and derived products not intended for human consumption (Animal by-products Regulation)*

Animal By-Products (Enforcement) (England) Regulations 2013

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Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links may only show the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on amendments to legislation can be found on each link's 'More Resources' tab.

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