



ANIMAL BY-PRODUCTS LEGISLATION – AN EXPLANATORY GUIDE

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1. Introduction:

The use of animal by-products in animal feed can spread BSE and other animal diseases. Animal by-products can also pose a threat to animal and human health via the environment if not properly disposed. On 3rd October 2002 the EU adopted Regulation EC 1774/2002 governing animal by-products. The regulation lays down strict rules for the collection, transport, storage, handling, processing and use or disposal of all animal by-products. The regulations are transposed into Irish Law by the Animal By-Products Regulations 2003 (S.I. No. 248 of 2003) and by the Animal By-Products (Amendment) Regulations 2005 (S.I. 707 of 2005). The Animal By-Products Regulations are a separate legislative entity to the Waste Management Act.

2. What are Animal By-Products:

Article 2 of the regulation defines an animal by-product as any part of an animal carcass or any material of animal origin not intended for human consumption. They are a product of the livestock and food industry, particularly from food processing and dairy plants and include animals which die on farm, surplus or waste materials from slaughterhouses and a range of surplus or rejected foodstuffs including catering wastes that contain products of animal origin whether cooked or uncooked. The regulations divide animal by-products into 3 categories based on their potential risk to animals, the public or to the environment, and sets out how each category must or may be disposed. The regulation restricts the type of by-products that may be used for feeding animals, so that only material fit for human consumption may be used for livestock and pet feed. The regulation also prohibits intra species recycling and the feeding of catering waste to livestock.



Category 1:

- This is very high risk material including specified risk material - the carcasses of animals suspected or confirmed of being infected with Transmissible Spongiform Encephalopathies (TSE) or Scrapie;
- Parts of animals that have been administered certain prohibited substances e.g. growth hormones;
- Pet, zoo, circus and experimental animals;
- Catering waste from international transport is also included in this category;
- Floor waste in an abattoir where specified risk material is generated.

Category 2:

- Animals presenting a risk of contamination with other animal diseases (e.g. animals which die or are killed in the context of disease control measures on farm);
- Manure and the digestive tract content of farm animals;
- By-products from animals that exceed permitted residue levels of certain substances (e.g. therapeutic drugs).

Category 3:

- Material which has previously been fit for human consumption, including catering waste, raw meat and fish, hides and skins;
- Parts of slaughtered animals which are fit for human consumption but which are not intended for human consumption for commercial reasons, or due to problems of manufacturing or packaging defects;
- Animal by-products derived from the processing of products intended for human consumption (e.g. degreased bones and greaves);
- Blood from non-diseased ruminants.

3. Disposal Routes for Animal By-Products:

There are a number of permissible disposal routes for each category.

Category 1

- Incineration in an approved incineration plant;
- Rendering to the required standard followed by incineration or for some material, disposal in an approved landfill;
- Disposal in an approved landfill for catering waste from international transport.

Category 2

- Incineration in an approved incineration plant;
- Rendering to the required standard followed by incineration or landfill;
- Rendering to the required standard followed by incineration, disposal to an approved landfill, use as a fertiliser, or treatment in a biogas or composting plant;
- Use in an oleochemical plant to produce tallow for technical use;
- Provided that the material comes from wild animals which were not killed or did not die as a result of a disease communicable to animals or humans, use as feed is allowed under authorisation to recognised packs of hounds, zoo or circus animals, reptiles, birds of prey and maggots for fishing;
- Materials of fish origin may be used in silage or composted to the required standards.

Category 3(i)

- Incineration in an approved incineration plant;
- Rendering to the required standard followed by incineration or disposal to an approved landfill;



- Rendering to the required standard followed by use in feedstuffs or fertiliser;
- Use in pet food;
- Transformation in a technical plant;
- Treatment in a biogas or composting plant to the required standard;
- For feeding fish;
- Use in an oleochemical plant to produce tallow derivatives;
- Materials of fish origin can be used in silage making or composted to the required standard.

Category 3(ii) (Former Foodstuffs): In May 2005 the European Commission proposed that member states should make their own risk analysis of which former foodstuffs could safely be disposed of to landfill. The Regulation divides former foodstuffs into 3 categories:

- (I) Former foodstuffs which member states consider to pose a risk to public and animal health if disposed of to landfill.
- (II) Former foodstuffs that the member states consider can be safely disposed of to landfill.
- (III) Former foodstuffs which can also safely be fed to animals (in accordance with strict separation from other products of animal origin)

Material which is suitable and may be fed to livestock subject to strict separation from animal by-products includes:

- Bakery products, pasta, confectionary and similar products such as breakfast cereals – these products can contain ingredients such as fats, milk, eggs, honey

or gelatine of non-ruminant origin. They must not contain raw eggs, meat or fish or products which are derived from or incorporate meat or fish;

- Dairy products including pasteurised milk, cheese, whey, yoghurt, butter, milk based desserts and ice cream.

Material which may go to landfill but cannot be fed to livestock, includes:

- Meat/fish products that are fully pre-cooked;
- Shells from cooked seafood and eggs;
- Highly processed meat/fish products in cans and jars. etc;
- Dried products of animal origin;
- Highly processed products such as flavourings;
- Stock cubes;
- Processed animal fats;
- Greaves.

Note: If any doubts exist about the classification or disposal options for animal by-products businesses must consult the formal regulations and enquiries should be made to the Department of Agriculture.



4. Complete Separation of Buildings:

Annex 5 of the Regulation requires “complete separation of building between a processing plant and a slaughterhouse”. This is to ensure no cross contamination or substitution (voluntary or otherwise) between “material intended for human

consumption”, “material intended for animal consumption” and “material destined for disposal or recovery”. Processing plants are approved by the Department of Agriculture. An approved establishment must meet the required level of separation.

5. Labelling:

Animal by-products e.g. livers , kidneys etc. and other products of animal origin that are intended to go into the food chain should not be labelled as animal by- product . Under the regulations they only become animal by- product when they are no longer intended for human consumption. Labelling is clear evidence of this intention. There is a requirement under the regulations to clearly label containers and vehicles detailing the category of animal by-product.

6. Collection, Storage, Transportation and Processing:

Animal by-products can only be collected and transported by approved licensed hauliers and can only be stored and processed at licensed facilities. These licences are issued by the Department of Agriculture. Pet food facilities also require a license to operate from the same Department.

7. Which Food Businesses are Affected by the Regulations:

- **Food Manufacturers** – any manufacturer of products that contain meat , fish or any other animal by-product as ingredients;
- **Butchers** – most waste from butcher’s premises is raw and must be disposed of in accordance with the Regulations (i.e. landfill is not permitted);
- **Fishmongers** – raw fish waste has to be disposed of in accordance with the Regulations;
- **Bakers** – many bakeries produce and sell a wide range of meat products. If these have been cooked, disposal to landfill is acceptable. Bakery products not

containing animal by-products are suitable for feeding to livestock as long as strict measures are in place to prevent cross contamination with other animal by-products;

- **Retailers** – raw meat and raw fish cannot be disposed of to landfill. Products containing cooked meat and fish may be disposed of to landfill as part of the transition period for former foodstuffs;
- **Caterers** – catering wastes are only controlled by the regulations if it goes to composting or biogas, is fed to animals or is derived from international transport. If the catering operation shares premises with another food activity such as retail, bakery, or butchery, then the non-catering waste must be disposed of in accordance with Section 3(ii) above (former foodstuffs);
- **Distributors** – where these businesses generate or handle any former foodstuffs or other animal by-products, they must abide by the regulations.

8. Current/Future Amendments to Legislation:

The controls in the Regulation work well in the majority of cases. However, feedback from member states and Industry have highlighted a number of areas where changes are necessary. Examples include the use of processed ingredients in cosmetics and the issue of processed animal protein-only pet food plants. Uncertainties also exist about the scope of the legislation – including possible duplication with other legislation. Clarification is therefore needed. In early 2007 the commission intends to submit a number of proposals for amendments to the Regulation to Council and Parliament.



9. Further Information:

- [The Department of Agriculture Animal By-Products – Approved Establishments](#)
this link provides information on approved establishments in Ireland including collection plants, rendering and technical plants, storage facilities and composting facilities.
- [The Department of Agriculture Information Notes – The import of Animal By-Products that could be used as a feed material or for technical purposes](#)
- [DEFRA – the UK Department for the Environment, Food and Rural Affairs](#)
- [European Union Animal By-Products webpage](#)