

EXPLANATORY GUIDE



**ANIMAL By-PRODUCTS
LEGISLATION**

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**An Explanatory
Guide**

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 21st October 2009 the EU adopted [Regulation EC 1069 of 2009](#) (as amended by [EU 142 of 2011](#)), 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. These regulations repealed [EU Regulation 1774 of 2002](#) . The regulations were transposed into Irish Law on 17th April 2014, as part of the European Union (Animal By-Products Regulations) 2014 ([S.I. No. 187 of 2014](#)).

Note: The Animal By-Products Regulations are a separate legislative entity to the Waste Management Act.

2. What are Animal By-Products?

Article 3 of EU 1069/2009 defines animal by-products 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);
- Parts of animals that have been administered certain prohibited substances e.g. growth hormones;
- Pet, zoo, circus and experimental animals;
- Specified risk material and animals containing specified risk material
- Animal by-products derived from animals submitted to illegal treatment
- Catering waste from international transport is also included in this category
- Animal by-products collected during wastewater treatment of Category 1 material
- Mixtures of Category 1 material with residues from Categories 2 or 3 or both

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;
- Animal by-products collected during wastewater treatment of Category 2 material
- Products of animal origin which have been declared unfit for human consumption due to the presence of foreign bodies
- Products (except Category 1) imported or exported that do not comply with Community veterinary legislation or requirements
- By-products from animals that exceed permitted residue levels of certain substances (e.g. therapeutic drugs)
- Animals killed for disease control, foetuses, oocytes/embryos/semen not destined for breeding purposes, dead in-shell poultry
- Mixtures of Category 2 and Category 3 material

Category 3:

- Material which has previously been fit for human consumption
- 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) which did not show any signs of disease communicable to humans or animals
- Blood from non-diseased ruminants which did not show any signs of disease communicable to humans or animals
- Catering wastes that contain products of animal origin, whether cooked or uncooked

3. Disposal Routes for Animal By-Products

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

Category 1

- Disposed of as a waste by incineration
- Co-incineration and pressure sterilisation to the required standard followed by disposal in an approved landfill;
- Burial in an approved landfill
- Used as fuel for combustion
- Used in the manufacture of derived products

Category 2

- Disposed of as a waste by incineration
- Co-incineration and pressure sterilisation to the required standard followed by disposal in an approved landfill;
- Burial following pressure sterilisation
- Manure, digestive tract material, milk and milk-based products may be land spread following a risk assessment by the competent authority
- Used as fuel for combustion
- Used in the manufacture of derived products

Category 3

- Disposed of as a waste by incineration
- Co-incineration, with or without prior processing
- Landfill disposal following processing

- Processed as animal or pet food, fertilizer or land improver
- Production of biogas
- Use as a fuel for combustion with or without prior processing
- Used in the manufacture of derived products
- Raw milk and colostrum may be land spread following a risk assessment by the competent authority

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. Labelling

Animal by-products must be clearly labelled regarding use. (e.g. NOT FIT FOR HUMAN OR ANIMAL 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.

5. 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, Food and the Marine. Pet food facilities also require a license to operate from the same Department.

6. 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.

7. Further Information

- [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.

- [Department of Agriculture Information Notes on Import of Animal By-Products](#)
- [DEFRA – the UK Department for the Environment, Food and Rural Affairs](#)
- [European Union Animal By-Products webpage](#)