

CARRIBEAN POULTRY ASSOCIATION

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MODEL CARICOM Meat Inspection Act

An Act respecting the import and export of and national trade in meat and meat products, the registration of establishments, the inspection of animals and meat products in registered establishments and the standards for those establishments and for animals slaughtered and meat products prepared in those establishments

**FOR THE CONSIDERATION OF THE CARICOM
CHIEF VET OFFICERS/ CHIEF ENVIRONMENTAL HEALTH OFFICERS**

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DRAFT

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SHORT TITLE

1. This Act may be cited may be cited as the **[Country] Meat Inspection Act**

SCOPE

2. OBJECT AND SCOPE OF THIS ACT

2.1 The object of this Act is to

- (a) Minimise and manage risks to human or animal health arising from the production and processing of animals for the production of meat for human consumption by instituting measures that ensure so far as is practicable that all traded meat are fit for their intended purpose; and
- (b) Facilitate the trade of meat into targeted markets by providing the controls and mechanisms needed to give and to safeguard official sanitary assurances for entry into those markets.

2.2 The scope of this legislation covers hygiene provisions for raw meat, meat preparations and manufactured meat from the time of live animal production up to the point of retail sale.

2.3 For the purposes of this Act meat is that derived from domestic ungulates, domestic solipeds, domestic birds, lagomorphs, farmed game, farmed game birds (including ratites) and wild game. This legislation [may also be applied to other types of animals from which meat is derived, subject to any special hygienic measures required by **[the competent authority]**.] Further to general hygiene measures applying to all species of animal as described above, this legislation [also presents specific measures that apply to different species and classes of animals, e.g. wild game killed in the field.

INTERPRETATION

3. DEFINITIONS

In this Act **[or for the purpose of this code]** the following definitions apply.

Abattoir

Any establishment where specified animals are slaughtered and dressed for human consumption and that is approved, registered and/or listed by **[the competent authority]** for such purposes.

Animal

Animals of the following types:

- Domestic ungulates;
- Domestic solipeds;
- Domestic birds i.e. poultry;

	<ul style="list-style-type: none"> • Lagomorphs; • Farmed game; • Farmed game birds, including ratites; • Wild game, i.e. wild land mammals and birds which are hunted (including those living in enclosed territory under conditions of freedom similar to those of wild game); • Animals as otherwise specified by <i>[the competent authority]</i> that falls within a class of animals prescribed for those purposes;
<i>Ante-mortem inspection</i>	Any procedure or test conducted by [a competent person] on live animals for the purpose of judgments of safety and suitability and disposition
<i>Carcass</i>	The body of an animal after dressing.
<i>Chemical residues</i>	Residues of veterinary drugs and pesticides as described in the Definitions for the Purpose of the Codex Alimentarius.
<i>Code of Practice</i>	A document containing a set of rules made or promoted by the competent authority in consultation with the meat industry containing requirements to be followed in any regulation to promote animal health and food safety.
<i>Competent authority</i>	The official authority charged by the government with the control of meat hygiene, including setting and enforcing regulatory meat hygiene requirements and providing official assurances in international trade of meat. For the purpose of this act, the competent authority in [country] is the [competent authority]^[DS6] .
<i>Competent body</i>	Where applicable, a body officially recognised and overseen by the competent authority to undertake specified meat hygiene activities.
<i>Competent person</i>	A person who has the training, knowledge, skills and ability to perform an assigned task, and who is subject to requirements specified by the competent authority.
<i>Condemned</i>	Examined and judged by a competent person, or otherwise determined by the competent authority, as being unsafe or unsuitable for human consumption and requiring appropriate disposal.
<i>Contaminant</i>	Any biological or chemical agent, foreign matter, or other substance not intentionally added to food that may compromise food safety

	or suitability.
<i>Disease or defect</i>	Any abnormality affecting safety and/or suitability.
<i>Dressing</i>	The progressive separation of the body of an animal into a carcass and other edible and inedible parts.
<i>Establishment</i>	A building or area used for performing meat hygiene activities that is approved, registered and/or listed by [the competent authority] for such purposes.
<i>Establishment operator</i>	The person in control of an establishment who is responsible for ensuring that the regulatory meat hygiene requirements are met.
<i>Equivalence</i>	The capability of different meat hygiene systems to meet the same food safety and/or suitability objectives.
<i>Food safety objective (FSO)</i>	The maximum frequency and/or concentration of a hazard in a food at the time of consumption that provides the appropriate level of protection (ALOP) ¹
<i>Fresh Meat</i>	Meat that apart from refrigeration has not been treated for the purpose of preservation other than through protective packaging and which retains its natural characteristics.
<i>Game depot</i>	A building in which killed wild game is temporarily held prior to transfer to an establishment, and which is approved, registered and/or listed by the competent authority for this purpose. (Note that for the purposes of this Act a game depot is a particular type of establishment).
<i>Good Hygienic Practice (GHP)</i>	All practices regarding the conditions and measures necessary to ensure the safety and suitability of food at all stages of the food chain.
<i>Hazard</i>	A biological, chemical or physical agent in, or condition of, food with the potential to cause an adverse health effect.
<i>Hazard Analysis and Critical Control Point (HACCP)</i>	A system which identifies, evaluates and controls hazards which are significant for food safety using the guidelines, practices and procedures as adopted by the Codex Alimentarius Commission.

<i>Hunter</i>	A person involved in the killing and/or bleeding, partial evisceration and partial field dressing of killed wild game.
<i>Inedible</i>	Examined and judged by a competent person, or otherwise determined by the competent authority to be unsuitable for human consumption.
<i>Manufactured Meat</i>	Products resulting from the processing of raw meat or from the further processing of such processed products, so that when cut, the cut surface shows that the product no longer has the characteristics of fresh meat.
<i>Meat</i>	All parts of an animal that are intended for, or have been judged as safe and suitable for, human consumption.
<i>Meat hygiene</i>	All conditions and measures necessary to ensure the safety and suitability of meat at all stages of the food chain.
<i>Meat inspection legend</i>	Any official inspection legend or symbol prescribed by regulations of the Minister showing that an article was inspected and passed in accordance with this Act.
<i>Meat preparation</i>	Raw meat which has had foodstuffs, seasonings or additives added to it.
<i>Meat product</i>	Meat product means <ul style="list-style-type: none"> (a) a carcass, (b) the blood of an animal or a product or by-product of a carcass, or (c) a product containing anything described in paragraph (b).

¹ *This is an interim definition for the purpose of this Code that is subject to change depending on the final outcome from CCFH*

<i>Mechanically separated meat (MSM)</i>	Product obtained by removing meat from flesh-bearing bones after boning or from poultry carcasses, using mechanical means that result in the loss or modification of the muscle fibre structure.
<i>Minced meat</i>	Boneless meat which has been reduced into fragments.
<i>Minister</i>	Minister means the [government Minister under whose authority the responsibility for administration of this act is vested]

Official inspector	A competent person who is appointed, accredited or otherwise recognised by [the competent authority] to perform official meat hygiene activities on behalf of, or under the supervision of [the competent authority.]
Organoleptic inspection	Using the senses of sight, touch, taste and smell for identification of diseases and defects.
Performance criteria	The required outcome of one or more control measures at a step or a combination of steps that contribute to assuring the safety of a food ²
Person	This includes any individual, corporation, partnership or organization;
Primary production	All those steps in the food chain constituting animal production and transport of animals to the abattoir, or hunting and transporting wild game to a game depot .
Process control	All conditions and measures applied during the production processes (including ante- and post-mortem inspection) that are necessary to achieve safety and suitability of meat.
Process criteria	The process control parameters (e.g. time, temperature, dose) at a specified step that can be applied to achieve performance criteria ³
Post-mortem inspection	Any procedure or test conducted by a competent person on all relevant parts of slaughtered/killed animals for the purpose of judgment of safety and suitability and disposition.
Quality assurance (QA)	All the planned and systematic activities implemented within the quality system and demonstrated as needed, to provide adequate confidence that an entity will fulfill requirements for quality.
Quality assurance (QA) system	The organisational structure, procedures, processes and resources needed to implement quality assurance.
Raw meat	Fresh meat, minced meat or mechanically separated meat
Ready-to-Eat (RTE) products	Products that are intended to be consumed without any further biocidal steps.
Risk-based	Containing performance and/or process criteria developed according to risk analysis principles.

² This is an interim definition for the purpose of this Code that is subject to change depending on the final outcome from CCFH

³ This is an interim definition for the purpose of this Code that is subject to change depending on the final outcome from CCFH

<i>Safe for human consumption</i>	Safe for human consumption according to the following criteria: (a) has been produced by applying all food safety requirements appropriate to its intended end-use; (b) meets risk-based performance and process criteria for specified hazards; and (c) does not contain hazards at levels that are harmful to human health.
<i>Sanitation standard operating procedures (SSOPs)</i>	A documented system for assuring that personnel, facilities, equipment and utensils are clean and where necessary, sanitised to specified levels prior to and during operations.
<i>Sell</i>	Sell includes (a) to agree to sell, (b) to offer, keep, expose, transmit, send, convey or deliver for sale, (c) to exchange or agree to exchange, and (d) to dispose of, or agree to dispose of, to any person in any manner for a consideration
<i>Suitable for human consumption</i>	Suitable for human consumption according to the following criteria: (a) has been produced under hygienic conditions as outlined in this [act] ; (b) is appropriate to its intended use; and (c) meets outcome-based parameters for specified diseases or defects as established by the competent authority.
<i>Verification (Operator)</i>	The continual review of process control systems, including corrective and preventative actions to ensure that regulatory and/or specified requirements are met.
<i>Verification</i>	Activities performed by the competent authority and/or competent body to determine compliance with regulatory requirements.
<i>Veterinary Inspector</i>	An official inspector who is professionally qualified as a veterinarian and carries out officially meat hygiene activities as specified by [the competent authority.]

- Operator's licence **4.** (1) Any person who intends to operate or maintain any establishment shall obtain a license issued by the **[competent authority]**. A license may be obtained by application to the authority upon forms prescribed by the authority for that purpose.
- Registered establishment (2) It shall be a condition of the registration and operation of an establishment as a registered establishment that the establishment and all animals and meat products in it are subject to this Act.
- (3) No person shall operate a registered establishment unless that person has obtained a licence therefore in accordance with the regulations.

NATIONAL TRADE-MARK

- Meat inspection legend **5.** The meat inspection legend shall be a national trade-mark, and the exclusive property in and, subject to this Act, the right to the use of that trade-mark is hereby declared to be

vested in the [**competent authority**]

Authorized use **6.** No person shall, unless authorized by the regulations,
(a) apply or use the meat inspection legend; or
(b) advertise or sell or have in his possession for any such purpose anything to which the meat inspection legend is applied or in connection with which the meat inspection legend is used.

Use of similar legend prohibited **7.** No person shall
(a) apply or use any legend, word, mark, symbol or design or any combination thereof that so closely resembles the meat inspection legend as to be likely to be mistaken for it; or
(b) advertise or sell or have in his possession for any such purpose anything to which there is applied or in connection with which there is used any legend, word, mark, symbol or design or any combination thereof that so closely resembles the meat inspection legend as to be likely to be mistaken for it.

TRADE IN MEAT PRODUCTS

Export **8.** No person shall export a meat product out of [country] unless
(a) it was prepared or stored in a registered establishment that was operated in accordance with this Act and the regulations;
(b) that person provides an official inspector with evidence satisfactory to the Authority that the meat product meets the requirements of the country to which it is being exported; and
(c) that person obtains a certificate from an official inspector authorizing the export of that meat product.

Inter [regional] trade **9** No person shall send or convey a meat product from one [internal region] district to another unless
(a) it was prepared or stored in a registered establishment that was operated in accordance with this Act and regulations; and
(b) it complies with prescribed standards and is packaged and labeled in the manner prescribed.

Import **10.** (1) No person shall import a meat product into [Country] unless
(a) at the time it was prepared for export, the country from which it originated and any country in which it was processed had meat inspection systems, those systems and the relevant establishments in those countries were approved in writing by the [Competent Authority] before that time and the approvals were valid at that time;
(b) that person provides an official inspector with evidence satisfactory to the [competent authority] that it meets the prescribed standards for imported meat products;
(c) it meets the prescribed standards for imported meat products; and
(d) it is packaged and labeled in the manner prescribed.

Delivery for inspection (2) Every person who imports a meat product into [country] shall, as soon as possible, deliver it, in its imported condition, *to a registered establishment* for inspection by an inspector[DS17].

Compliance with requirements and standards	(3) No person shall have in his possession an imported meat product that the person knows (a) has been imported into[country] in contravention of subsection (1); or (b) has not been delivered <i>to a registered establishment</i> for inspection as required by subsection (2).
Advertising, sale and possession of imported meat products	11. (1) No person shall advertise or sell or have in his possession for any such purpose an imported meat product that (a) has been imported into [country] in contravention of subsection 10(1); or (b) has not been delivered <i>to a registered establishment</i> for inspection as required by subsection 10(2).
Advertising, sale and possession of other meat products	(2) No person shall advertise or sell or have in his possession for any such purpose a meat product (a) that has been sent or conveyed from one [internal region]to another, or (b) to which the meat inspection legend has been applied or in connection with which the meat inspection legend has been used, unless the meat product complies with prescribed standards and is packaged and labeled in the manner prescribed.
Presumption of prohibited possession	12. (1) In any proceedings for a violation or for an offence under paragraph 6(b) or 7(b) or section 11, an accused found in possession of a meat product that did not comply with any provision of this Act or the regulations shall be deemed, in the absence of evidence to the contrary, to have had possession of the meat product for the purpose of advertising or selling it.
Exception	(2) The presumption under subsection (1) does not apply to a person in possession of a meat product for the person's own consumption.

ENFORCEMENT

Designation of inspectors	13 (1) The [CEO of the competent authority] may designate the official inspectors and analysts for the purposes of this Act.
Certificate to be produced	(2) Inspectors shall be given certificates in a form established by the [CEO of the competent authority] attesting to their designation and, on entering any place or vehicle referred to in subsection 12(1), an inspector shall, if so required, produce the certificate to the person in charge of that place or vehicle.
Powers of inspectors	14. (1) For the purposes of this Act, an inspector may, subject to subsections (3) to (5), at any time enter any place or stop and enter any vehicle in which the inspector believes on reasonable grounds there is any meat product or other thing to which this Act applies and may (a) open any package that the inspector believes on reasonable grounds does not comply with this Act or the regulations; (b) inspect and take samples of any meat product or other thing that the inspector believes on reasonable grounds does not comply with this Act or the regulations; and (c) require any person to produce for inspection, or for the purpose of obtaining copies or extracts, any book, shipping bill, bill of lading or other document or record that the inspector believes on reasonable grounds contains any information relevant to the

	administration or enforcement of this Act or the regulations.
Assistance to inspectors	(2) The owner or person in charge of a place or vehicle referred to in subsection (1) and every person found in that place or vehicle shall give the inspector all reasonable assistance to enable the inspector to carry out his duties and functions under this Act and shall furnish the inspector with any information the inspector may reasonably require with respect to the administration or enforcement of this Act and the regulations.
Warrant required to enter dwelling-house	(3) Where any place referred to in subsection (1) is a dwelling-house, an inspector may not enter that dwelling-house without the consent of the occupant except under the authority of a warrant issued under subsection (4).
Authority to issue warrant	(4) Where on <i>ex parte</i> application [a justice of the peace] is satisfied by information on oath <p>(a) that the conditions for entry described in subsection (1) exist in relation to a dwelling-house,</p> <p>(b) that entry to the dwelling-house is necessary for any purpose relating to the administration or enforcement of this Act, and</p> <p>(c) that entry to the dwelling-house has been refused or that there are reasonable grounds for believing that entry thereto will be refused,</p> the [justice of the peace] may issue a warrant under his hand authorizing the inspector named therein to enter that dwelling-house subject to such conditions as may be specified in the warrant.
Use of force	(5) In executing a warrant issued under subsection (4), the inspector named therein shall not use force unless the inspector is accompanied by a [peace officer] and the use of force has been specifically authorized in the warrant.
Obstruction and false statements	15 (1) No person shall obstruct or hinder, or make any false or misleading statement either orally or in writing to, an inspector while the inspector is engaged in carrying out his duties or functions under this Act.
Interference	(2) Except with the authority of an inspector, no person shall remove, alter or interfere in any way with anything seized or detained under this Act by an inspector.
Seizure	16 (1) Where an inspector believes on reasonable grounds that this Act have been contravened, the inspector may seize and detain any meat product or other thing by means of or in relation to which the inspector believes on reasonable grounds the contravention was committed.
Storage and removal	(2) Any meat product or other thing seized and detained pursuant to subsection (1) may be stored by an inspector or any person designated by the inspector in the place where it was seized or may, at the inspector's discretion, be removed to any other place for storage.
Detention	17. (1) Any meat product or other thing seized and detained pursuant to section 16 shall not be detained after <p>(a) the provisions of this Act have, in the opinion of the inspector, been complied with, or</p> <p>(b) the expiration of ninety days from the day of seizure or such longer period as may be prescribed with respect to the meat product or other thing,</p> unless before that time proceedings have been instituted in respect of a violation, or in respect of an offence under this Act, in relation to the meat product or other thing seized, in which case it may be detained until the proceedings are finally concluded.

Application for return	(2) Where proceedings referred to in subsection (1) have been instituted, the owner, or person in possession at the time of seizure, of anything that is the subject-matter of the proceedings, other than a meat product or anything bearing the meat inspection legend, may, subject to subsection 18(3), apply <p style="margin-left: 20px;">(a) in the case of a violation, to <i>[the official body appointed to review disputes]</i>, or</p> <p style="margin-left: 20px;">(b) in the case of an offence, to the court before which the proceedings are being held, for an order that it be returned.</p>
Order for return	(3) Where, on an application pursuant to subsection (2), the [Tribunal] or court is satisfied that sufficient evidence exists or may reasonably be obtained without detaining the thing that is the subject-matter of the proceedings, the [Tribunal] or court may order it to be returned to the applicant, subject to any condition the [Tribunal] or court may impose to ensure that it is preserved for any purpose for which it may subsequently be required.
Forfeiture	18. (1) Where the [Tribunal] decides that a person has committed a violation, or a person is convicted of an offence under this Act, the [Tribunal] or the convicting court or judge, as the case may be, may, in addition to any penalty or punishment imposed, order that any meat product or other thing by means of or in relation to which the violation or offence was committed be forfeited to the [government of the country] , and on the making of the order the meat product or other thing may be disposed of as the [competent authority] may direct.
Tribunal or court to consider forfeiture	(2) Where no party raises the question of forfeiture under subsection (1), the [Tribunal] or court shall consider the question on its own motion.
Forfeiture on consent	(3) Where the owner of a meat product or other thing seized under this Act or the person in possession of it at the time of seizure consents to its disposal, it is thereupon forfeited to [government of the country] and may be disposed of, as the [competent authority] may direct, at the expense of the person consenting to the disposal.
Non-complying import -- notice for removal	19. (1) Where an inspector believes on reasonable grounds that any meat product is being or has been imported into [country] in contravention of this Act or the regulations, the inspector may, whether or not the inspector seizes the meat product pursuant to section 16, require the importer to remove it from [country] by giving the importer a notice for its removal delivered to the importer personally or sent by registered mail to the importer's business address in [country]
Forfeiture and disposal	(2) Where any meat product is not removed from [country] within a period of ninety days after a notice for its removal was delivered or sent to the importer under subsection (1), or within such longer period after the delivery or sending of the notice as may be authorized by the [competent authority] , it shall, notwithstanding section 17, be forfeited to [government of the country] and may be disposed of, as the [competent authority] may direct, at the expense of the importer.
Evidence of financial responsibility	20. The [competent authority] may require any person or class of persons importing meat products into [country] to provide evidence of financial responsibility in any form, including an insurance or indemnity bond, that is satisfactory to the [government authority] .

REGULATIONS

Regulations

21. The Minister may make regulations for carrying out the purposes and provisions of this Act and, without limiting the generality of the foregoing, may make regulations

(a) prescribing the **meat inspection legend** and the form and manner in which, terms and conditions on which, persons by whom and things in connection with which it may be applied or used;

(b) governing the **registration of establishments and the licensing of the operators** thereof, and prescribing the fees payable therefor;

(c) providing for the cancellation and suspension of the registration of registered establishments;

(d) governing the **design, construction and maintenance of registered establishments** and of the equipment and facilities therein;

(e) respecting the **operation and suspension of operation of registered establishments**;

(f) prescribing the equipment and facilities to be used, the procedures to be followed and the standards to be maintained in registered establishments to ensure **humane treatment and slaughter of animals and hygienic processing and handling of meat**^[DS25] **products**;

(g) providing for the **inspection of establishments and registered establishments** and the animals and meat products in registered establishments and prescribing the fees payable therefor;

(h) providing for the **reinspection of meat products** in connection with which the meat inspection legend is applied or used and prescribing the fees payable therefor;

(i) prescribing **standards for meat products that are prepared or stored in registered establishments**, for meat products that enter into **[interprovincial]** or international trade and for meat products in connection with which the meat inspection legend is applied or used;

(j) prescribing **standards for imported meat products**;

(k) governing the **packaging and labelling** of meat products and prescribing the specifications for the packages and labels;

(l) respecting the withholding from slaughter of animals and the inspection, holding, treatment, condemnation, confiscation and disposal of animals, meat products or other things in registered establishments that are or are suspected on reasonable grounds of being injurious to health, its suitability for its intended purpose or otherwise in contravention of this Act or the regulations;

(m) respecting the **inspection and disposal of imported meat products** and prescribing the fees payable for such inspection;

(n) providing for systems for **ascertaining the places of origin of the animals** to be slaughtered in registered establishments and **systems in place for the effective tracking or recall of processed meat**;

(o) prescribing the manner of **seizing and detaining anything** under this Act and providing for the safe-keeping and disposal of anything seized, detained or forfeited under this Act;

(p) respecting the **storage, handling and transportation** of meat products and the

payment of expenses in connection with that storage;

(q) prohibiting the transportation of meat products unless they are properly packaged and labeled under this Act and the regulations and evidence satisfactory to the [competent authority] is provided that they meet any other requirements of this Act and the regulations;

(r) exempting any person, establishment, registered establishment, animal, meat product or any class thereof from the application of this Act or the regulations or any provisions thereof, subject to such terms and conditions as the Minister considers appropriate; and

(s) prescribing anything that by this Act is to be prescribed.

Offence and penalty

22. If any person contravenes or fails to comply with any of the provisions of this Act and the regulations or to comply with any directions given thereunder, such person commits an offence and shall be liable on summary conviction to a fine not exceeding [applicable fine] or to imprisonment for a period not exceeding [applicable time], or to both such fine and imprisonment.

Evidence of Identification

24. In any proceedings for a violation, or for an offence under this Act, proof that a meat product, package or label bore

- (a) a name and address purporting to be that of the person who prepared, packaged or labeled it, or
- (b) a registered number or registered brand mark purporting to be that of the establishment where it was prepared, packaged or labeled, is proof, in the absence of evidence to the contrary, that the meat product was prepared, packaged or labeled by the person or at the establishment whose name, address, registered number or registered brand mark appeared on the meat product, package or label

Repeals

23. Upon the commencement of this Act the [relevant slaughter of animals legislation], shall stand repealed.

MADE by the Minister responsible for [state responsible Ministry] this day of , 2005.

