



## PRODUCTS CONTAINING MEAT ETC. REGULATIONS 2019

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Statutory Document No. 2019/0410

*Food Act 1996*

## PRODUCTS CONTAINING MEAT ETC. REGULATIONS 2019<sup>1</sup>

*Approved by Tynwald: 10<sup>th</sup> December 2019*  
*Coming into operation in accordance with regulation 2*

The Department of Environment, Food and Agriculture makes the following Regulations under sections 4, 17(1)(a) and (e), 21(a) and 41(1) of the Food Act 1996.

### 1 Title

These Regulations are the Products Containing Meat etc. Regulations 2019.

### 2 Commencement

If approved by Tynwald, these Regulations come into operation on 16 December 2019<sup>1</sup>.

### 3 Interpretation

[SI 2014/3001/2 and drafting]

In these Regulations —

“**the Act**” means the Food Act 1996;

“**FIC**” means Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004<sup>2</sup>;

“**ingredient**” has the meaning given in Article 2(2)(f) of FIC;

<sup>1</sup> Section 41(7) of the Food Act 1996 specifies that regulations under that Act shall not have effect unless they are approved by Tynwald.

<sup>2</sup> OJ L 304, 22.11.2011, p. 18, last amended by Regulation (EU) 2015/2283 (OJ L 327, 11.12.2015, p. 1).

“**meat**” means the skeletal muscles of mammalian and bird species recognised as fit for human consumption with naturally included or adherent tissue but does not include mechanically separated meat as defined in point 1.14 of Annex I to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin<sup>3</sup>;

“**regulated product**” means a food that contains one of the following as an ingredient (whether or not the food also contains any other ingredient) —

- (a) meat;
- (b) mechanically separated meat as defined in point 1.14 of Annex I to Regulation (EC) No 853/2004 of the European Parliament and of the Council;
- (c) the heart, the tongue, the muscles of the head (other than the masseters), the carpus, the tarsus or the tail of any mammalian or bird species recognised as fit for human consumption;

“**sell**” includes offer or expose for sale and includes have in possession for sale; and

“**uncooked**”, in relation to a food, means a food that has not been subjected to a process of cooking throughout the whole food so that the food is sold on the basis that it will need further cooking before consumption.

## 4 Scope

[SI 2014/3001/3 and drafting]

- (1) Subject to paragraphs (2) and (3), these Regulations apply to food that is ready for delivery to the final consumer or to a mass caterer.
- (2) These Regulations do not apply in respect of any food —
  - (a) that is not intended for sale for human consumption; or
  - (b) marked or labelled with a clear indication that the food is intended exclusively for consumption by babies or young children.
- (3) [Revoked]<sup>2</sup>
- (4) In this regulation —
  - (a) “final consumer” has the meaning given in point 18 of Article 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>4</sup>;
  - (b) “mass caterer” has the meaning given in Article 2(2)(d) of FIC.

<sup>3</sup> OJ L 139, 30.4.2004, p. 55, last amended by Commission Regulation (EU) No 2017/1981 (OJ L 285, 1.11.2017, p. 10).

<sup>4</sup> OJ L 031, 1.2.2002, p. 1, as last amended by Commission Regulation (EU) 2017/228 (OJ L 035, 10.2.2017, p. 10).

## **5 Restrictions on the use of certain names**

[SI 2014/3001/4 and drafting]

- (1) A person must not sell or advertise a regulated product using a name that appears in column 1 of the table in Schedule 1 as the name of the food, whether or not qualified by other words, unless the food complies with the appropriate requirements in columns 2 and 3 of that table.
- (2) A person must not sell or advertise a food using a name that appears in column 1 of the table in Schedule 1, whether or not qualified by other words, in such a way as to suggest, either expressly or by implication, that the product designated by that name is an ingredient of the food, unless that product is an ingredient of the food and that product complied with the appropriate requirements in columns 2 and 3 of the table in Schedule 1 at the time it was used as an ingredient in the preparation of the food.

## **6 Parts of the carcase in uncooked regulated products**

[SI 2014/3001/5]

- (1) Subject to paragraph (3), a person must not sell an uncooked regulated product if any part of a carcase specified in paragraph (2) has been used as an ingredient in the preparation of that product.
- (2) The specified parts of a carcase are the brains, feet, large intestine, lungs, oesophagus, rectum, small intestine, spinal cord, spleen, stomach, testicles and udder of any mammalian species.
- (3) The prohibition in paragraph (1) does not extend to the use of a mammalian large or small intestine solely as a sausage skin.
- (4) In this regulation “sausage” includes chipolata, frankfurter, link, salami and any similar product.

## **7 Offences and penalties**

A person who contravenes regulation 5(1), 5(2) or 6(1) commits an offence.

Maximum penalty – (Summary) – a fine of level 5 on the standard scale, custody for 6 months or both.

## **8 Enforcement**

It is the duty of the Department of Environment, Food and Agriculture to enforce these Regulations.

## **9 Application of provisions of the Act**

- (1) Subsections (1) and (2) of section 8 of the Act (improvement notices) apply for the purposes of these Regulations with the following modification.
- (2) For subsection (1), substitute –

- 66(1) If an authorised officer of the Department has reasonable grounds for believing that a person is failing to comply with regulations 5(1) or (2) or 6(1) of the Products Containing Meat etc. Regulations 2019, the authorised officer may, by a notice served on that person (an “improvement notice”) –
- (a) state the officer’s grounds for believing that the person is failing to comply with the relevant provision;
  - (b) specify the matters which constitute the person’s failure so to comply;
  - (c) specify the measures which, in the officer’s opinion, the person must take in order to secure compliance; and
  - (d) require the person to take those measures, or measures that are at least equivalent to them, within such period (not being less than 14 days) as may be specified in the notice. 67.
- (3) Subsections (1) and (4) of section 34 of the Act (appeals to court of summary jurisdiction) apply for the purposes of these Regulations with the following modifications –
- (a) for subsection (1), substitute –
- 66(1) Any person who is aggrieved by a decision of an authorised officer of the Department to serve an improvement notice under section 8(1), as applied and modified by regulation 9(1) and (2) of the Products Containing Meat etc. Regulations 2019, may appeal to a court of summary jurisdiction. 67; and
- (b) in subsection (4), for “(3)”, substitute “(1)”.
- (4) Section 36 of the Act (appeals against improvement notices) applies for the purposes of these Regulations with the following modifications –
- (a) for subsection (1), substitute –
- 66(1) On an appeal against a decision of an authorised officer of the Department to serve an improvement notice under section 8(1), as applied and modified by regulation 9(1) and (2) of the Products Containing Meat etc. Regulations 2019, the court may either cancel or affirm the notice, and, if it affirms it, may do so either in its original form or with such modifications as the court may in the circumstances think fit. 67; and
- (b) in subsection (3), omit “for want of prosecution”.
- (5) The provisions of the Act specified in column 1 of the table in Schedule 2 apply for the purposes of these Regulations with the modifications specified in column 2 of that table.

## **10 Revocations**

The Meat Products Regulations 2004<sup>5</sup> are revoked.

**MADE 13 NOVEMBER 2019**

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<sup>5</sup> SD 919/04.





## SCHEDULE 1

[Regulation 5]

## RESERVED DESCRIPTIONS

In this Schedule —

“cured meat” means a food consisting of meat and curing salt, whether or not the food also contains any other ingredient;

“curing salt” means —

- (a) sodium chloride, if used in sufficient quantity to have a significant preserving effect on the food;
- (b) potassium chloride, if used in sufficient quantity to have a significant preserving effect on the food;
- (c) a combination of any of sodium chloride, potassium chloride, sodium nitrate, potassium nitrate and sodium nitrite as authorised for use in Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives<sup>6</sup>, except for a combination of sodium chloride and potassium chloride; or
- (d) a combination of sodium chloride and potassium chloride, if used in sufficient quantity to have a significant preserving effect on the food.

<i>Column 1</i>	<i>Column 2</i>			<i>Column 3</i>
<i>Name of food</i>	<i>Meat or cured meat content requirements</i>			<i>Additional requirements</i>
	<i>The food must contain not less than the indicated percentage of meat, where the meat ingredient consists of the following:</i>			
	<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>	
<b>1. Burger -</b> whether or not forming part of another word, but	67%	55%	62%	1. Where the name “burger” is qualified by the name of a type of cured meat, the food

<sup>6</sup> OJ L 354, 31.12.2008, p. 16, last amended by Commission Regulation (EU) 2018/1497 (OJ L 253, 9.10.2018, p. 36).

<i>Column 1</i>	<i>Column 2</i>			<i>Column 3</i>
<i>Name of food</i>	<p><i>Meat or cured meat content requirements</i>  <i>The food must contain not less than the indicated percentage of meat, where the meat ingredient consists of the following:</i></p>			<i>Additional requirements</i>
	<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>	
<p>excluding any name falling within items 2 or 3 of this table</p>				<p>must contain a percentage of meat of the type from which the named type of cured meat is prepared at least equal to the minimum required meat content for that food</p> <p>2. Where the name “burger” is qualified by the name of a type of meat, the food must contain a percentage of that named meat at least equal to the minimum required meat content for that food</p> <p>3. Where the name “burger” is used to refer to a compound ingredient consisting of a meat mixture and other ingredients, such as a bread roll, these requirements apply only to the meat mixture, as if the meat mixture were the regulated product in the labelling or advertising of which the name was used as the name of the food</p>
<p><b>2. Economy Burger</b> - whether or not “burger”</p>	50%	41%	47%	<p>1. Where the name “economy burger” is qualified by the name of</p>



Column 1	Column 2	Column 3			
<i>Name of food</i>	<p data-bbox="571 266 1102 405"><i>Meat or cured meat content requirements</i> <i>The food must contain not less than the indicated percentage of meat, where the meat ingredient consists of the following:</i></p> <table border="0" data-bbox="571 412 1102 763"> <tr> <td data-bbox="571 412 730 551"><i>Meat or, as the case may be, cured meat from pigs only</i></td> <td data-bbox="759 412 898 763"><i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i></td> <td data-bbox="940 412 1102 656"><i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i></td> </tr> </table>	<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>	<i>Additional requirements</i>
<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>			
forms part of another word		<p data-bbox="1134 770 1431 1088">a type of cured meat, the food must contain a percentage of meat of the type from which the named type of cured meat is prepared at least equal to the minimum required meat content for that food</p> <p data-bbox="1134 1095 1431 1447">2. Where the name “economy burger” is qualified by the name of a type of meat, the food must contain a percentage of that named meat at least equal to the minimum required meat content for that food</p> <p data-bbox="1134 1453 1431 2054">3. Where the name “economy burger” is used to refer to a compound ingredient consisting of a meat mixture and other ingredients, such as a bread roll, these requirements apply only to the meat mixture, as if the meat mixture were the regulated product in the labelling or advertising of which the name was used as the name of the food</p>			

<i>Column 1</i>	<i>Column 2</i>			<i>Column 3</i>				
<i>Name of food</i>	<i>Meat or cured meat content requirements</i>			<i>Additional requirements</i>				
	<p><i>The food must contain not less than the indicated percentage of meat, where the meat ingredient consists of the following:</i></p> <table border="0"> <tr> <td><i>Meat or, as the case may be, cured meat from pigs only</i></td> <td><i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i></td> <td><i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i></td> <td></td> </tr> </table>			<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>		
<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>						
3. <b>Hamburger</b> - whether or not forming part of another word	67%	Not applicable	62%	<p>1. Where the name “hamburger” is used, the meat used in the preparation of the food must be beef, pork or a mixture of both</p> <p>2. Where the name “hamburger” is qualified by the name of a type of meat, the food must contain a percentage of that named meat at least equal to the minimum required meat content for that food</p> <p>3. Where the name “hamburger” is used to refer to a compound ingredient consisting of a meat mixture and other ingredients, such as a bread roll, these requirements apply only to the meat mixture, as if the meat mixture were the regulated product in the labelling or advertising of which the name was used as the name of the food</p>				
4. <b>Chopped X</b> , there being inserted in place of “X” the name	75%	62%	70%	No additional requirement				



<i>Column 1</i>	<i>Column 2</i>			<i>Column 3</i>			
<i>Name of food</i>	<i>Meat or cured meat content requirements</i>			<i>Additional requirements</i>			
	<p><i>The food must contain not less than the indicated percentage of meat, where the meat ingredient consists of the following:</i></p> <table border="0"> <tr> <td><i>Meat or, as the case may be, cured meat from pigs only</i></td> <td><i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i></td> <td><i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i></td> </tr> </table>			<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>	
<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>					
<p>“meat” or “cured meat” or the name of a type of meat or cured meat, whether or not there is also included the name of a type of meat</p> <p>5. <b>Corned X</b>, there being inserted in place of “X” the name “meat” or the name of a type of meat, unless qualified by words which include the name of a food other than meat</p>	120%	120%	120%	<p>1. The food must consist wholly of meat that has been corned</p> <p>2. Where the name of the food includes the name of a type of meat, the meat used in the preparation of the food must be wholly of the named type</p> <p>3. The total fat content of the food must not exceed 15%</p>			
<p>6. <b>Luncheon meat</b> or <b>luncheon X</b>, there being inserted in place of “X” the name of a type of meat or cured meat</p>	67%	55%	62%	No additional requirement			
<p>7. <b>Meat pie</b> or</p>				No additional			

<i>Column 1</i>	<i>Column 2</i>			<i>Column 3</i>
<i>Name of food</i>	<i>Meat or cured meat content requirements</i>			<i>Additional requirements</i>
	<i>The food must contain not less than the indicated percentage of meat, where the meat ingredient consists of the following:</i>			
	<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>	
<b>meat pudding</b> - the name “ <b>pie</b> ” or “ <b>pudding</b> ” qualified by the name of a type of meat or cured meat unless qualified also by the name of a food other than meat or cured meat —				requirement
(a) based on the weight of the ingredients when the food is uncooked	12.5%	12.5%	12.5%	
(b) but if the food weighs —				
(i) not more than 200 g and not less than 100 g	11%	11%	11%	
(ii) less than 100 g	10%	10%	10%	
<b>Game pie</b> —				No additional requirement
(a) based on the weight of the ingredients when the food is uncooked	12.5%	12.5%	12.5%	
(b) but if the food weighs —				
(i) not more than 200 g and not less than 100 g	11%	11%	11%	
(ii) less than 100 g	10%	10%	10%	
<b>8. Scottish pie</b> or	10%	10%	10%	No additional

<i>Column 1</i>	<i>Column 2</i>			<i>Column 3</i>
<i>Name of food</i>	<i>Meat or cured meat content requirements</i>			<i>Additional requirements</i>
	<i>The food must contain not less than the indicated percentage of meat, where the meat ingredient consists of the following:</i>			
	<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>	
<b>Scotch pie</b> - based on the weight of the ingredients when the food is uncooked				requirement
9. The name “ <b>pie</b> ” or “ <b>pudding</b> ” qualified by the words “meat” or “cured meat” or by the name of a type of meat or cured meat and also qualified by the name of a food other than meat or cured meat —				No additional requirement
(a) where the former (meat-related) qualification precedes the latter	7%	7%	7%	
(b) where the latter (non-meat-related) qualification precedes the former. Based, in both cases, on the weight of the ingredients when the food is uncooked	6%	6%	6%	
10. <b>Pasty, pastie Bridie or sausage roll</b> - based on the weight of the	6%	6%	6%	No additional requirement

<i>Column 1</i>	<i>Column 2</i>			<i>Column 3</i>				
<i>Name of food</i>	<i>Meat or cured meat content requirements</i>			<i>Additional requirements</i>				
	<p><i>The food must contain not less than the indicated percentage of meat, where the meat ingredient consists of the following:</i></p> <table border="0"> <tr> <td><i>Meat or, as the case may be, cured meat from pigs only</i></td> <td><i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i></td> <td><i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i></td> <td></td> </tr> </table>			<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>		
<i>Meat or, as the case may be, cured meat from pigs only</i>	<i>Meat or, as the case may be, cured meat from birds only, rabbits only, or a combination of birds and rabbits only</i>	<i>Meat or, as the case may be, cured meat from other species or other mixtures of meat</i>						
<p>ingredients when the food is uncooked</p> <p><b>11. Sausage</b> (excluding the name “sausage” when qualified by the words “liver” or “tongue” or both), <b>chipolata, link or sausage meat</b> —</p> <p>(a) where the name is qualified by the name “pork” but not by the name of any other type of meat</p> <p>(b) in all other cases</p>	42%	Not applicable	Not applicable	No additional requirement				
	32%	26%	30%					

Notes

1. In relation to items 4, 5 and 6, the percentages in column 2 are based on the weight of the raw meat used to make the food (“the raw meat ingredient”) as a percentage of the weight of the cooked finished product. In relation to the other items, the percentages are based on the weight of the raw meat ingredient used to make the food as a percentage of the total weight of all the ingredients used to make the food (including the raw meat ingredient) at the time of their use as an ingredient.

2. The quantity of meat specified in the table is to be determined taking into account the provisions relating to total fat and connective tissue content in point 17 of Part B of Annex VII to FIC, including any downward adjustment needed in a case where the total fat and connective tissue content in the regulated product exceeds the values indicated in the table in point 17 of Part B of Annex VII to FIC.





## SCHEDULE 2

[Regulation 9(5)]

## APPLICATION AND MODIFICATION OF OTHER PROVISIONS OF THE ACT

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Act</i>	<i>Modifications</i>
Section 2 (extended meaning of “sale” etc)	In subsection (1), for “this Act” substitute <b>the Products Containing Meat etc. Regulations 2019</b> In subsection (2), for “This Act” substitute <b>The Products Containing Meat etc. Regulations 2019</b>
Section 3 (presumptions that food intended for human consumption)	In subsection (1), for “this Act” substitute <b>the Products Containing Meat etc. Regulations 2019</b>
Section 31 (offences due to fault of another person)	For “this Act” substitute <b>section 8(2), as applied by regulation 9(1) of the Products Containing Meat etc. Regulations 2019,</b>
Section 32(1) and (5) (defence of due diligence)	In subsection (1), for “any provision of this Act” substitute <b>section 8(2), as applied by regulation 9(1) of the Products Containing Meat etc. Regulations 2019,</b>
Section 24(7) (evidence of certificates given by a food analyst or examiner)	For “this Act” substitute <b>the Products Containing Meat etc. Regulations 2019</b>
Section 27 (obstruction etc of officers)	In subsection (1), for “this Act” (in each place occurring) substitute <b>the Products Containing Meat etc. Regulations 2019</b>
Section 29(1) and (2) (punishment of offences)	In subsection (1), after “section 27(1),”, insert <b>as applied and modified by regulation 9(5) of, and Schedule 2 to, the Products Containing Meat etc. Regulations 2019,</b> After subsection (1), insert the following subsection — <b>(1A) A person guilty of an offence under section 8(2), as applied by regulation 9(1) of the Products Containing Meat etc. Regulations 2019, is liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.</b> In subsection (2) — (a) for “any other offence under this Act”, substitute <b>an offence under section 27(2), as applied by regulation 9(5) of, and Schedule 2 to, the Products Containing Meat etc. Regulations 2019,</b> (b) in paragraph (b) — (i) for “the relevant amount” substitute <b>the statutory maximum</b> ; and

*Column 1**Provision of the Act*

Section 30 (offences by bodies corporate)

*Column 2**Modifications*(ii) for “6 months” substitute **3** months **2**.In subsection (1), for “this Act” substitute **3** section 8(2), as applied by regulation 9(1) of the Products Containing Meat etc. Regulations 2019, **2**

## ENDNOTES

### Table of Endnote References

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<sup>1</sup> The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.

<sup>2</sup> Para (3) revoked by SD2023/0284.