



Jersey

ANIMAL HEALTH (WASTE FOOD) (JERSEY) ORDER 2018

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ANIMAL HEALTH (WASTE FOOD) (JERSEY) ORDER 2018

THE MINISTER FOR THE ENVIRONMENT, in pursuance of Articles 4(2), 7(1) and 32(2) of the [Animal Health \(Jersey\) Law 2016](#), orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

- (1) In this Order –
 - “composting” includes anaerobic digestion;
 - “poultry” has the same meaning as in the [Animal Health \(Bird Diseases\) \(Jersey\) Order 2017](#);
 - “waste disposal service” means any public authority (within the meaning of Article 1 of the [Freedom of Information \(Jersey\) Law 2011](#)) exercising the function of the collection or disposal of waste;
 - “waste food” means –
 - (a) any meat, bones, offal or other part of the carcase of any animal, or of any poultry, intended for human consumption, including any part of the carcase discarded as part of the process of food preparation;
 - (b) any waste product of food preparation (including table or kitchen refuse) that contains, or is likely to have been in contact with, any meat, bones or offal or with any other part of the carcase of any animal or poultry; and
 - (c) any waste edible fats or oils of animal or vegetable origin.
- (2) For the purposes of this Order –
 - (a) the definition of animal in the [Animal Health \(Jersey\) Law 2016](#) does not include a horse or a honey bee;
 - (b) despite the definition in that Law “bird” means any bird.

2 Restrictions on use of waste food

A person must not –

- (a) feed any waste food to any animal or poultry;
- (b) allow waste food to be collected from any premises by any other person other than a waste food disposal service or person licensed under Article 4; or
- (c) compost or otherwise dispose of waste food other than as permitted by Article 5.

3 Storage of waste food

- (1) A person responsible for any premises where waste food originates must –
 - (a) provide a container for the storage of waste food that –
 - (i) has a closable lid,
 - (ii) is leak-proof,
 - (iii) prevents pets, wild animals or birds having access to the waste food, and
 - (iv) is capable of being cleansed and disinfected;
 - (b) move the waste food as quickly as possible to the container; and
 - (c) keep the container –
 - (i) in a state of repair such that it always meets the requirements of sub-paragraph (a),
 - (ii) with its lid closed at all times except when it is being filled or emptied, and
 - (iii) in a hygienic state by regular cleansing and disinfection.
- (2) However, paragraph (1) does not apply where the person has caused waste food to be placed in bins for collection by a waste disposal service.

4 Commercial collection and transport of waste food

A person other than a waste disposal service must not collect or transport any waste food except under and in accordance with a licence granted by an inspector.

5 Disposal of waste food directly by person responsible for premises of origin

- (1) A person responsible for any premises where waste food originates may transport and dispose of waste food from those premises other than by means of a waste disposal service or a person licensed under Article 4 only in accordance with this Article.
- (2) That person must transport the waste food directly –
 - (a) to a site authorized by the [Waste Management \(Jersey\) Law 2005](#); or
 - (b) if so licensed under paragraph (6)(a), to premises on which it will be composted.
- (3) The container for transporting the waste food must –

- (a) be capable of being covered and actually be covered whilst containing waste food;
 - (b) be leak-proof;
 - (c) prevent pets, wild animals or birds having access to the waste food;
 - (d) be capable of being cleansed and disinfected; and
 - (e) be maintained in a state of repair so that it continues to meet the other requirements of this paragraph.
- (4) The container and any vehicle used to transport the waste food must be maintained in a hygienic state by regular cleansing and disinfection.
- (5) The disposal of waste food by composting is permitted except where the composting consists of –
 - (a) composting on any premises –
 - (i) other than the premises on which the waste food was produced, or
 - (ii) where any animals or poultry are kept;
 - (b) spreading or burying composted material other than on the premises where it was composted;
 - (c) composting that results in the production of more composted material than can reasonably be spread or buried on those premises; or
 - (d) composting is undertaken without biosecurity measures being in place –
 - (i) to prevent as far as is practicable wild birds accessing the composted material, and
 - (ii) to reduce the risk of cross-contamination from the composted material being spread from the area where it is composted.
- (6) Despite paragraph (5) a veterinary inspector may grant licences permitting the person –
 - (a) to compost waste food on premises other than those on which it was produced and laying down conditions for moving the waste food to those other premises;
 - (b) to compost waste food on premises on which animals or poultry are kept; or
 - (c) to spread or bury composted material on premises other than the premises on which it was composted.

6 Licences and fees

- (1) A person may apply for a licence granted under Article 4 or 5(6) to the States Veterinary Officer who may provide an appropriate form for the purposes of the application.
- (2) The application must be accompanied by the application fee set out in paragraph (3) (which fee is not refundable in the event of the licence not being granted).
- (3) The amount of the fee is –

- (a) in respect of an application for a licence under Article 4, £116.50;
- (b) in respect of an application for a licence under Article 5(6) –
 - (i) where the work is done by an inspector, £51.85 for each hour and pro rata for any part of an hour taken, or
 - (ii) where the work is done by a veterinary inspector, £100 for each hour and pro rata for any part of an hour taken.¹
- (4) A licence granted under this Order expires in accordance with the terms of its duration.

7 Cleansing and disinfection

- (1) Cleansing and disinfection must be carried out in accordance with this Article so as to reduce, as far as reasonably practicable, the risk of transmission of disease.
- (2) The inside of any container used for waste food must be cleansed and disinfected, and if the exterior of such a container, any detachable fittings not used during transportation of the waste food, any other part of the means of transport or any equipment has been soiled with waste food, it must also be cleansed and disinfected.
- (3) Cleansing must be with water, steam or where appropriate chemicals or chemical compounds (used singly or in combination) until free from visible waste food contamination.
- (4) Any disinfectant used under this Order must be –
 - (a) an approved disinfectant that is published as being approved in respect of General Orders; and
 - (b) used at the approved dilution rate and in accordance with the manufacturer's instructions.
- (5) Where cleansing and disinfection is required to be undertaken by this Order, a record must be made and kept for 6 months from the date of the cleansing and disinfection,
- (6) In this Article –
 - “approved dilution rate” means the dilution rate indicated for an approved disinfectants product in the relevant column in the statutory table under the heading that states General Orders;
 - “Orders”, in relation to General Orders, means Orders of the description stated in the relevant column heading of the statutory table;
 - “statutory table” means the table of Disinfectants Approved for use in England, Scotland and Wales published by the Department of Environment, Food and Rural Affairs under powers that include those in the English Disinfectants Order.

8 Saving

Any licence granted under the Diseases of Animals (Waste Foods) (Jersey) Order 1958 still in force on the commencement of this Order is treated as a licence granted under Article 4(1).

9 Citation

This Order may be cited as the Animal Health (Waste Food) (Jersey) Order 2018.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Animal Health (Waste Food) (Jersey) Order 2018	R&O.79/2018	19 July 2018
Environment (2019 Fees) (Jersey) Order 2018	R&O.137/2018	1 January 2019
Environment (2020 Fees) (Jersey) Order 2019	R&O.151/2019	1 January 2020
Environment (2021 Fees) (Jersey) Order 2020	R&O.185/2020	1 January 2021
Environment (2022 Fees) (Jersey) Order 2021	R&O.169/2021	1 January 2022

Table of Renumbered Provisions

Original	Current
9	spent, omitted
10	9

Table of Endnote References

¹ Article 6(3) *amended by R&O.137/2018, R&O.151/2019, R&O.185/2020, R&O.169/2021*