

# **GUIDANCE ON THE MORATORIUM ON THE PRODUCTION AND USE OF DESINewed MEAT FROM NON RUMINANT BONES OR POULTRY CARCASSES IN THE UNITED KINGDOM**

## **Purpose and Scope**

On 4 April 2012 the Food Standards Agency (FSA) announced a moratorium on the production and use of desinewed meat (DSM). This guidance:

- is to help Food Business Operators (FBOs) achieve compliance with the moratorium. It is relevant to FBOs who are currently **producing, storing or using** DSM produced from non ruminant bones or poultry carcasses as well as officials responsible for enforcement of the requirements of the moratorium,
- relates only to DSM that has been produced by mechanical separation of residual meat from flesh bearing non ruminant bones after boning or from poultry carcasses. Guidance on DSM production from ruminant bones was issued on 26 April and is available at [www.food.gov.uk/news/newsarchive/2012/apr/dsm-guidance](http://www.food.gov.uk/news/newsarchive/2012/apr/dsm-guidance)

## **Legal Status**

This guidance replaces the previous guidance, 'The production of meat preparations obtained by desinewing meat', published in September 2010 as far as it relates to the production of DSM from non ruminant bones or poultry carcasses. It reflects the way the European Commission currently interprets the legal definition of mechanically separated meat. It is for Food Business Operators to ensure that they comply with food hygiene and other legal requirements. Only the courts can give authoritative statements of those requirements.

## **Background**

Desinewed meat (DSM) is fresh meat from which the sinews and tendons have been removed by passing fresh meat trim or meaty bones through a low pressure machine. It has the appearance and texture similar to that of minced meat. The moratorium applies only to DSM produced after mechanical separation of residual meat from bones or poultry carcasses followed by the desinewing process.

Following an audit mission to the UK by the European Commission's Food and Veterinary Office (FVO), the Food Standards Agency (FSA) is putting in place a moratorium on the production of all 'desinewed meat' from non ruminant bones and poultry in order to ensure full compliance with EU law. From the date of the moratorium non ruminant DSM must be classified as mechanically separated meat (MSM). As such it must comply with EU legislation on the production and labelling of MSM.

There is no evidence of any increased food safety risks associated with non ruminant DSM obtained by mechanical separation or the process by which it is produced. There has, however, been a difference in interpretation of the definition of 'mechanically separated meat' (MSM) in EU law between some European member states, including the UK, and the European Commission.

## Implementation

The moratorium on the production and use of DSM from non ruminant bones or poultry carcasses will come into effect in the UK at 00:01hrs on Saturday 26 May 2012.

## Terms Used in this Guidance

**'DSM from non ruminant bones'**: Unless otherwise indicated, means raw or pure DSM obtained from mechanical separation of residual meat from non ruminant bones or poultry carcasses after initial de-boning, which falls within the scope of the moratorium. Encompasses such DSM destined for the UK market, Intra-Community trade and for export to Third Countries and that originating from other countries.

**'Intermediate product'**: DSM produced from non ruminant bones or poultry carcasses that has been subject to further processing into a product for incorporation into a finished product for commercial use or a finished product for the final consumer.

**'Finished product for commercial use'**: Finished product that consists of or contains non ruminant DSM and is ready for commercial use in that state (including in other products).

**'Finished product for final consumer'**: A product which is ready and intended for consumption in that state whether or not it is packaged for the final consumer. This includes such product that is in storage waiting to be packaged for the final consumer, is already packaged for the final consumer, or is already on retail sale.

**The use of the term 'DSM from non ruminant bones or poultry carcasses' in this document from this point onwards is in accordance with the meaning set out above.**

## Other Relevant Definitions Set out in Regulation (EC) 853/2004

- **Meat preparations** means fresh meat, including meat that has been reduced to fragments, which has had foodstuffs, seasonings or additives added to it or which has undergone processes insufficient to modify the internal muscle fibre structure of the meat and thus to eliminate the characteristics of fresh meat.
- **Minced meat** means boned meat that has been minced into fragments and contains less than 1% salt.
- **Mechanically separated meat** means the product obtained by removing meat from flesh-bearing bones after boning or from poultry carcasses, using mechanical means resulting in the loss or modification of muscle fibre structure.
- **Meat products** means processed products resulting from the processing of meat or from the further processing of such processed products, so that the cut surface shows that the product no longer has the characteristics of fresh meat.

**Stage 2**  
**DSM From Non Ruminant Bones or Poultry**  
**Carcases**  
**Commencing at 00:01hrs on Saturday 26 May 2012**

**Production or Import of DSM from Non Ruminant Bones or Poultry Carcasses**

- DSM from non ruminant bones or poultry carcasses produced after 00:01hrs on 26 May 2012, including that for export to other Member States and Third Countries, is MSM and must be produced, described and labelled as such.
- DSM from non ruminant bones or poultry carcasses imported into the UK from other Member States or Third Countries after 00:01 on 26 May 2012 is MSM and must be described and labelled as such when incorporated into intermediate or finished product.
- If FBOs have concerns about compliance with these requirements they should seek advice from their enforcement authority .

**Activities Outside the Scope of the Moratorium**

- Residual non ruminant meat which has been removed from the bone, either with a knife or hand held powered equipment with a cutting or shearing action, and which does not involve removing the meat by means of applying low or high pressure techniques, is not considered to be MSM.
- If the product obtained from the process described in the bullet point above contains cartilage, sinew or bone fragments / chips, it may be passed through a meat separator to remove such cartilage, sinew or fragments, and is not considered to be MSM.
- DSM produced from portions of non ruminant meat (which is not on the bone, and that has not been obtained by mechanical separation) by passing it through a meat separator to remove sinew or fat is not considered to be MSM.
- Meat removed by mechanical means from non ruminant bone-in cuts of meat that have not been subject to any previous boning<sup>1</sup> is not considered to be MSM. Examples include wishbone meat, and recognised pork and poultry cuts. This process is regarded as mechanical deboning as it is the removal of bones from meat, rather than the removal of residual meat from bones.

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<sup>1</sup> 'previous boning' is the specific physical removal of meat directly from the bone(s) resulting in a bone with residual meat attached. The removal of the residual meat from the bone would be considered as MSM production.

### **Unused DSM from Non Ruminant Bones or Poultry Carcasses**

- Unused DSM from non ruminant bones or poultry carcasses (including that in storage) produced before 00:01hrs on 26 May may be sold through and incorporated into intermediate products, and finished products for commercial use or the final consumer after 00:01hrs on 26 May.
- If the non ruminant DSM originates from outside the UK, i.e. from any EU or third country, the importing FBO should take any step necessary to satisfy themselves that the product is not MSM e.g. by checking with the importer or producer and obtaining written confirmation that the product is not MSM and/or has not been produced under an MSM approval.
- The date of production of this DSM must be available through the FBO's internal traceability system to demonstrate the product was produced before the moratorium commenced.

### **Intermediate Product Consisting of or Containing DSM from Non Ruminant Bones or Poultry Carcasses**

- DSM produced from non ruminant bones or poultry carcasses before 00:01hrs on 26 May 2012 that has subsequently been subjected to further processing, such that it can be considered a meat preparation or a meat product or that which has been incorporated into an intermediate product, may be sold through after 00:01 on 26 May 2012.
- The date of production of the intermediate product must be available through the FBO's internal traceability system to demonstrate that the DSM used was produced before the moratorium commenced.

### **Finished Product for Commercial Use or the Final Consumer Consisting of or Containing DSM from Non Ruminant Bones or Poultry Carcasses**

- Finished products that consist of or contain DSM from non ruminant bones or poultry carcasses produced before 00:01hrs on 26 May and are ready for commercial/food service or final consumer use in that state (including in other products) may be sold through after 00:01 on 26 May 2012. These include products in storage waiting to be packaged for the final consumer, products already packaged for the final consumer or for the distribution chain and products already on retail sale.
- The date of production of these finished products must be available through the FBO's internal traceability system to demonstrate it was produced before the moratorium deadline.

**Hygiene & Microbiology Division  
23 May 2012**