

WILD GAME GUIDE Q&A

SOME TYPICAL SITUATIONS

If you are not sure how the legislation might apply to you, you may want to start with this section on **some typical situations**, based on questions we are frequently asked. Please note that the examples relate only to your liabilities under the food hygiene regulations. You should ensure that you are aware of how other legislation affects your operation.

SITUATION A

Q: “I shoot game for my own consumption but very occasionally supply some to other people who may offer payment. Under the regulations am I allowed to do this?”

A: The EU food hygiene regulations do **not** apply to you because:

- you are shooting for your own **private domestic consumption**;
- very occasional supply to others for their private domestic consumption does not automatically mean that you are running a food business, even if you are sometimes offered payment.

SITUATION B

Q: “I run a pub/restaurant and buy in-fur/in-feather game from a hunter, which I process, cook and serve to customers. Am I allowed to do this?”

A: The EU food hygiene regulations allow you to buy small quantities of in-fur/in-feather game or game meat which may be served at your establishment. However:

- you may need to amend your FBO registration with your local authority;
- you will need to meet the **traceability** requirements of Regulation 178/2002 and comply with the relevant provisions of Regulation 852/2004;
- you are likely to require a separate processing area for plucking, skinning and eviscerating the carcasses.

SITUATION C

Q: “I have adapted a game larder so I can also prepare game meat from carcasses I have shot. I sell both the in-fur/in-feather game and the game meat direct to final consumers and to local butchers’ shops, pubs and restaurants. How do the EU regulations affect me? Does it make any difference if I also prepare meat from carcasses shot by other hunters?”

A: Parts of the EU food hygiene regulations do apply, but you could benefit from certain exemptions:

- Members of a hunting party are entitled to prepare meat from carcasses shot by that hunting party for supply in small quantities direct to final consumers or to local retailers. This is known as the **hunter exemption**.
- Because prepared meat is being supplied onwards, premises used need to be registered with the Local Authority under the **registration of food businesses** requirement.

- Premises must comply with relevant requirements for their structure and hygienic operation (in Regulation 852/2004). Requirements for **HACCP and managing food risk** and for **traceability** also apply.
- If you prepare game shot by people who are **not** part of your own hunting party for supply to final consumers or to retailers then, unless you are retailer yourself (see **retail exemptions**), you must become an **approved game handling establishment (AGHE)**.

SITUATION D

Q: “My situation is just like the person in Situation C, except that sometimes I supply in-fur/in-feather carcasses to a non-retail game dealer for processing. How do the EU regulations affect that part of my business?”

A. You are subject to the same requirements as outlined in the answer to Situation C. **However** any carcasses you supply to a non-retail game dealer who processes them into meat– i.e. to an **approved game handling establishment (AGHE)** - must have been examined by a **trained person** at the shoot, and any gralloched deer must be accompanied by a numbered declaration from the trained person. See **the trained person** and **specimen forms** in the **Wild Game guide** for further information.

SITUATION E

Q: “My estate is planning to increase the number of shooting days and sell more game. Currently all the game is distributed on the day between the guns, beaters, etc, with the surplus sold directly to the local pub-restaurant. How do the EU regulations affect me and what options do I have?”

A: As a shooting estate, you have the **primary producer exemption** for in-skin and in-feather game if you only supply small quantities to the final consumer and local retailers. This exemption also covers your supply to the guns and the beaters. As you are already supplying onwards to at least one other food business (the local pub-restaurant) you need to be registered as a food business operator (FBO) and you must also comply with **traceability** requirements.

However, if you expand the business...

- as long as you arrange for a **trained person** to be present on shooting days, then any surplus game you have could be supplied to an **approved game handling establishment (AGHE)**.
- as the Regulations require chilling to begin within a reasonable period of time after killing and to achieve a temperature of not more than 4°C for small wild game and 7°C for large wild game, active chilling may be necessary if you are to hold game pending collection/delivery. Please see the section on **game larders** in the **Wild game guide** for further information;
- you could make use of the **hunter exemption** for hunting party members to prepare small quantities of game meat from game shot on your estate. You would have to have suitable premises. Please see **Situation C** for further information;
- you could make use of **retail exemptions** to prepare oven-ready meat from game shot on the estate to sell through at own farm shop (whether in permanent or movable/temporary premises), or at your own stall at a farmers’ market to the final consumer. However, if you would like to supply some of your prepared game meat onwards to other retailers, then this may only be as a marginal,

localised and restricted activity. Please see the section on **retail exemptions** in the **Wild Game guide** for further information. Because this part of the business takes you beyond primary production, both the premises you use to prepare game meat (and your retail premises, if different) would have to comply with the relevant structure and hygiene conditions of Regulation 852/2004. Please also see **Managing Food Risk** in the **Wild Game guide**.

SITUATION F

Q: “I ran over and killed a deer, may I sell the carcass?”

A: No, only wild game which has been obtained by hunting may be placed on the market.

SITUATION G

Q: “We have an estate shop where we sell our own produce and oven-ready wild game meat, prepared here from birds and deer shot on the estate. A local butcher is interested in selling our oven-ready game and has also offered to make and sell venison sausages from our deer. If we start supplying the butcher like this, will we need to become an approved game handling establishment?”

A: You do **not necessarily** have to become an approved game handling establishment (AGHE), because your estate shop puts you in the category of a retail food business and you would qualify for **retail exemptions**: As a retailer yourself, you may supply other retailers with food of animal origin (the so-called **retail-to-retail exemption**), providing this is limited on a **marginal, localised** and **restricted** basis. Supply has to satisfy all three criteria. In your case this would mean:

- **marginal**: no more than a quarter of total food sales is food of animal origin (calculated by weight or by value if measurement by weight is impractical for the range of products).
- **localised**: the retailers are situated in your own county, in immediately neighbouring counties or are situated no more than 30 miles/50 km from the boundary of your own county (whichever is the greater) – but never beyond the UK except supply from Northern Ireland to the Republic of Ireland;
- **restricted**: the wild game meat supplied was initially examined at the shoot by a **trained person**;

NB **Butchers** can supply a maximum of 2 tonnes of meat a week to local retailers or caterers, but this ‘allowance’ does **not** apply to the wild game meat *you are supplying to the butcher*

The local butcher can use your venison to make sausages for sale to the final consumer and **can supply you and other local retailers with those sausages**, within the terms of the **retail-to-retail exemption**.

It is unlikely you will need to become an approved game handling establishment, so you would remain under Local Authority enforcement. Contact your Local Authority EHO for advice about meeting the hygiene requirements and about **registration of food businesses**.

SITUATION H

Q: “I shoot fairly regularly but only as a guest on estate shoots. Would an AGHE be allowed to take carcasses from me? As I am actually only a private individual, is it true that I have to register as a food business if I take the odd carcass to an AGHE? ”

A: The AGHE operator may accept carcasses from you, **but he cannot accept them without all relevant information supplied by the trained person at the shoot.** In the case of large wild game this means ensuring that you pass on to the AGHE the trained person’s large wild game declaration (produced at the shoot) to accompany the carcass.

It is important always to bear in mind that, even as a private individual, you are supplying food onwards and this means **you are responsible for supplying safe food under general food law.**

Direct and prompt delivery to the AGHE, ensuring that your vehicle is kept clean on shooting days, free from contamination and, where necessary, disinfected, will demonstrate ‘due diligence’ under the Food Safety Act 1990.

Concerning registration, most LAs would not regard you as a food business operator as no premises of your own are involved and your private vehicle is being used only occasionally to deliver a primary product to an AGHE. But traceability rules apply so many LAs prefer to keep a register with the contact details of anyone even occasionally involved in putting carcasses into the local wild game supply chain.

So you may decide that the best thing to do is to contact your LA with your details, explaining how in a very small way you fit into the wild game supply chain. The EHO will also be able to provide guidance on best practice for hygienic use of your vehicle, etc.

ACTIVITIES ASSOCIATED WITH PRIMARY PRODUCTION

TRANSPORTATION

Q: “As a transport operator, I transport carcasses from estate to the AGHE, does this make me a primary producer? Do these rules apply to me?”

A: *You are not a primary producer but you are engaged in what the Regulations call ‘associated operations’. These specifically include ‘in the case of ...wild game, transport operations to deliver primary products, the nature of which has not been substantially altered, from the place of production to an establishment.’ So the requirement to pass on **trained person** documentation, to **register as a food business**, to comply with the **food business operator’s responsibilities** and to meet **traceability** requirements **all apply**. These requirements are particularly important where a transport operator is picking up from several estates before delivering to the AGHE.*

TRAINED PERSON

Q: “I am already an experienced shooter, so surely I have all the knowledge required?”

A: If you are an experienced shooter, you will know how to recognise game species, what natural behaviour is and when game is not behaving normally. You may also

have an understanding of hygienic practice. However, to reach the level of knowledge necessary to carry out the trained person's role as required in Regulation 853/2004 you are likely to need specific training.

Q: "Does every shoot need a trained person?"

A: Not all game entering the human food chain has to be inspected by a trained person.

A trained person **is required** when:

- game goes (either directly or via a **game larder**/collection centre/independent **transport operator**) to an **approved game handling establishment (AGHE)**;
- certain **retail exemptions** are being used to prepare game meat.

The trained person can take part in the shoot or can be a gamekeeper or game manager who is in the immediate vicinity of the shoot. What is important is that he/she has the required training.

A trained person is **not required** when:

- the **primary producer's exemption** or the **hunter's exemption** is being used, however best practice would be to have a trained person present at the shoot to do an initial examination.

Q: "Can deer be sent to an approved game handling establishment (AGHE) without a trained person's declaration attached?"

A: If a deer is shot and a trained person is unable to do the examination, it can only be sent to an AGHE in exceptional circumstances. These may be that the trained person was unavailable to attend due to something unforeseen, such as an accident. In such cases the head and viscera (except for the stomach and intestines) **must be sent** with the body (suitably labelled if already removed) to the operator of the approved game handling establishment (AGHE), so that a full post-mortem inspection can be carried out by the official veterinarian.

TEMPERATURE CONTROLS (GENERAL)

Q: "My estate organises shooting days. Carcasses are taken to the game larder throughout the day and delivered to the local AGHE at the end of the day. Do I need a chiller?"

A: It is strongly recommended that you install a chiller and store carcasses there as they can deteriorate quite significantly during the several hours that could pass between the first bird being shot and the final delivery to the local AGHE. Avoid over-filling the chiller. Carcasses should not be in contact with other carcasses so do not heap carcasses together.

REGISTRATION OF FOOD BUSINESSES

Q: "I have a game dealer's licence. Do I need to register as well?"

A: Yes, game dealer's licences were issued for different purposes and *since 1 August 2007 Defra has abolished the need for game dealer's licences that were*

issued under The Game Act 1831 in England and Wales. Game Dealer's and Venison Dealer's Licences are still required in Scotland.

Q: “I shoot for my own domestic consumption but I also supply small quantities of game to local pubs, hotels and restaurants. Do I need to register?”

A: Not if you **only** supply local pubs and other catering establishments with in-fur or in-feather game on an occasional basis. If you do so on a regular basis or If you pluck, skin or further process any game for supply to the final consumer or to local retailers, then you will need to register the premises where you do this, even if it is your house.