



PARK
SQUARE

BARRISTERS

Fine Significantly Increased for Meat-Cutting Plant Company Prosecuted by Howard Shaw

Howard Shaw has recently prosecuted the company operating a meat cutting plant for failure to remove vertebral column specified risk material from cattle. The material must be removed from carcasses in order to control BSE, as there is a risk they might be contaminated with BSE. During 2017, the Company sold-on multiple carcasses without removing the required vertebral column material. Although some of the meat was traced and recalled, much of it appears to have entered the food chain.

The prosecution was brought by the Food Standards Agency. The Company sought to argue that the prosecution was an abuse of process in what the Crown Court subsequently described as ‘an unbridled attack on every aspect of the FSA investigation and preparation’. During lengthy legal argument, Howard successfully argued that the prosecution was properly brought and did not constitute an abuse. The Company was subsequently fined £35,000 and ordered to pay costs in excess of £9,384.

The Company appealed against the sentence to the Crown Court. However, at a recent appeal hearing at Preston Crown Court, the fine was significantly increased to £60,000 and further costs in excess of £2,300 arising from the appeal were awarded against the Company.

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