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WELSH STATUTORY INSTRUMENTS

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**2000 No. 2659 (W. 172 )**

**FOOD, WALES**

**The Specified Risk Material  
(Amendment) (Wales) Regulations 2000**

*Made - - - - 28th September 2000*

*Coming into force - - 1st October 2000*

In exercise of the powers conferred by sections 16(1)(a), (b), (c), (d) and (f), (2)(a) and (3), 17(1), 19(1)(a), 26 and 48(1) of, and paragraphs 2(1), 3(1), 5 and 6(1)(a) of Schedule 1 to the Food Safety Act 1990<sup>(1)</sup> and now vested in the National Assembly for Wales<sup>(2)</sup>, the National Assembly for Wales, having had regard in accordance with section 48(4A) of that Act to relevant advice given by the Food Standards Agency and after consultation in accordance with section 48(4) and (4B) of that Act, makes the following Regulations:

**Title, commencement and application**

1. These Regulations may be cited as the Specified Risk Material (Amendment) (Wales) Regulations 2000; they apply to Wales only and come into force on 1st October 2000.

**Amendments to the Specified Risk Material Regulations 1997**

2.—(1) In so far as they apply to Wales, the Specified Risk Material Regulations 1997<sup>(3)</sup> are amended in accordance with the following paragraphs of this regulation.

(2) In paragraph (1) of regulation 2 (interpretation) the definitions of “class I specified risk material” and “class II specified risk material” are revoked.

(3) In paragraph (1) of regulation 2 the following definition is substituted for the definition of “specified risk material”—

““specified risk material” means —

- (a) specified bovine material;
- (b) specified sheep or goat material;

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(1) 1990 c. 16.

(2) Functions of “the Ministers” under the Food Safety Act 1990, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(3) S.I. 1997/2965, amended in relation to the whole of Great Britain by S.I. 1998/2405 (itself amended by S.I. 1998/2431) and S.I. 1999/539.

- (c) any part of the animal remaining attached to specified bovine material or specified sheep or goat material after dissection of the carcass;
  - (d) any animal material which comes into contact with specified bovine material or specified sheep or goat material after it has been removed from the carcass; and
  - (e) specified solid waste;”.
- (4) In paragraph (1) of regulation 3 (specified sheep or goat material) the phrase “class I” is revoked.
- (5) Paragraph (2) of regulation 3 is revoked.
- (6) In paragraph (3) of regulation 3 —
- (a) the phrase “class II” is revoked; and
  - (b) the words “or incinerated” are inserted between “rendered” and “whole”.
- (7) The following paragraph is substituted for paragraphs (1) and (2) of regulation 4 (specified bovine material) —
- “(1) In these Regulations, “specified bovine material” means —
- (a) the following material derived from a bovine animal which was slaughtered or has died in the United Kingdom or Portugal at an age greater than 6 months —
    - (i) the head (excluding the tongue but including the brains, eyes, trigeminal ganglia and tonsils),
    - (ii) the thymus,
    - (iii) the spleen,
    - (iv) the intestines from the duodenum to the rectum, and
    - (v) the spinal cord;
  - (b) in relation to a bovine animal which was slaughtered or has died in the United Kingdom or Portugal at an age greater than 30 months (other than a bovine animal which was accompanied at the time of slaughter by a slaughter certificate issued under the Beef Assurance Scheme as described in Schedule 1 to the Fresh Meat (Beef Controls) (No. 2) Regulations 1996(4)), the vertebral column (including dorsal root ganglia); and
  - (c) the following material derived from a bovine animal which was slaughtered or has died outside the United Kingdom or Portugal (other than in Australia or New Zealand) at an age greater than 12 months —
    - (i) the skull (including the brains and eyes),
    - (ii) the tonsils,
    - (iii) the spinal cord, and
    - (iv) the ileum.”.
- (8) The following paragraph is substituted for paragraph (3) of regulation 4 —
- “(3) Whole carcasses of bovine animals are specified bovine material if they are removed to be rendered or incinerated whole from the place where they were slaughtered or died.”
- (9) The following paragraph is added to regulation 4 —
- “(4) In paragraph (1) above, the reference to Portugal does not include a reference to the Autonomous Region of the Azores.”
- (10) Regulation 12 (rendering whole carcasses) is revoked.

(11) In paragraph (9)(b)(ii) of regulation 24 (approved rendering plants) the words “the specified risk material referred to in paragraph (17) below” are substituted for the phrase “class II specified risk material”.

(12) The following paragraph is added to regulation 24 —

“(17) The specified risk material is —

(a) the head of a bovine animal which was slaughtered or has died in the United Kingdom at an age greater than 6 months except —

(i) the skull (including the brains and eyes), and

(ii) the tongue; and

(b) the material referred to in paragraphs (c) and (d) of the definition of that phrase.”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(5)

28th September 2000

The Presiding Officer of the National Assembly  
for Wales

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations amend the Specified Risk Material Regulations 1997 (S.I.1997/2965, as amended) in so far as they apply to Wales. The Specified Risk Material Regulations 1997 apply to the whole of Great Britain.
2. The purpose of the Regulations is to give effect to Article 3.1 of Commission Decision 2000/418/EC regulating the use of material presenting risks as regards transmissible spongiform encephalopathies (OJ No. L158, 30.6.2000, p. 76).
3. The principal amendment brings the definition of “specified risk material” (“deunydd risg penodedig”) in regulation 2(1) of S.I. 1997/2965 into line with the definition of that phrase in Commission Decision 2000/418/EC. A consequential amendment is made to regulation 24(9)(b)(ii) of S.I. 1997/2965, which regulates the disposal of tallow derived from certain specified risk material.
4. S.I. 1997/2965 is further amended so that whole carcasses of sheep, goats and bovines are deemed to be specified risk material if they are removed from the place where they were slaughtered or died to be rendered or incinerated whole.
5. In consequence of the amendments described in paragraph 4 above, these Regulations revoke regulation 12 of S.I. 1997/2965 (rendering whole carcasses).
6. A regulatory appraisal for these Regulations has been prepared pursuant to section 65 of the Government of Wales Act 1998 and placed in the library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 1st Floor, Southgate House, Cardiff CF10 1EN.