

Commission Decision of 28 September 2009 authorising certain Member States to revise their annual BSE monitoring programmes (notified under document C(2009) 6979) (Text with EEA relevance) (2009/719/EC)

*[<sup>F1</sup>Article 1* U.K.]

- (1) The appropriate authority may revise their annual monitoring programmes as provided for in Article 6(1b) of Regulation (EC) No 999/2001.
- (2) In this Decision, “appropriate authority” means:
- a in relation to England, the Secretary of State;
  - b in relation to Wales, the Welsh Ministers;
  - c in relation to Scotland, the Scottish Ministers.]

**Textual Amendments**

- F1** [Art. 1](#) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1(2)(a), **4(2)** (as amended by S.I. 2020/1388, regs. 1, **20(4)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**

*[<sup>F2</sup>Article 2* U.K.]

1 The revised annual monitoring programmes shall apply only to bovine animals born in the [<sup>F3</sup>countries and territories] listed in the Annex and shall cover at least the following categories:

- a all bovine animals above 72 months of age subject to normal slaughter for human consumption, or slaughtered in the context of a disease eradication campaign but showing no clinical signs of disease, as referred to in point 2.2 of Part I of Chapter A of Annex III to Regulation (EC) No 999/2001;
- b all bovine animals above 48 months of age subject to emergency slaughter or with observations at ante mortem inspection as referred to in point 2.1 of Part I of Chapter A of Annex III to Regulation (EC) No 999/2001;
- c all bovine animals above 48 months of age, as referred to in point 3.1 of Part I of Chapter A of Annex III to that Regulation, which have died or been killed but which were not:
  - (i) killed for destruction pursuant to Commission Regulation (EC) No 716/96<sup>(1)</sup>;
  - (ii) killed in the framework of an epidemic, such as foot-and-mouth disease;
  - (iii) slaughtered for human consumption.

2 When bovine animals belonging to the animal categories referred to in paragraph 1 and born in one of the [<sup>F4</sup>countries or territories] listed in the Annex are tested for BSE [<sup>F5</sup>, the age limits for testing in force in Great Britain, the Channel Islands and the Isle of Man] shall apply.

[<sup>F6</sup>3 By way of derogation from point (a) of paragraph 1, from [<sup>F7</sup>the appropriate authority] may decide not to test animals in the subpopulation referred to in that point.]]

**Textual Amendments**

- F2** Substituted by [Commission Implementing Decision of 17 June 2011 amending Decision 2009/719/EC authorising certain Member States to revise their annual BSE monitoring programmes \(notified under document C\(2011\) 4194\) \(Text with EEA relevance\) \(2011/358/EU\)](#).

**Changes to legislation:** There are outstanding changes not yet made to Commission Decision of 28 September 2009 authorising certain Member States to revise their annual BSE monitoring programmes (notified under document C(2009) 6979) (Text with EEA relevance) (2009/719/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F3** Words in Art. 2(1) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **4(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 2(2) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **4(3)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 2(2) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **4(3)(b)(ii)** (as amended by S.I. 2020/1388, regs. 1(2)(a), **20(4)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F6** Substituted by Commission Implementing Decision of 4 February 2013 amending Decision 2009/719/EC authorising certain Member States to revise their annual BSE monitoring programmes (notified under document C(2013) 435) (Text with EEA relevance) (2013/76/EU).
- F7** Words in Art. 2(3) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **4(3)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

<sup>F8</sup> Article 3 **U.K.**

#### Textual Amendments

- F8** Art. 3 omitted (31.12.2020) by virtue of The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **4(4)**; 2020 c. 1, Sch. 5 para. 1(1)

<sup>F9</sup> Article 4 **U.K.**

#### Textual Amendments

- F9** Art. 4 omitted (31.12.2020) by virtue of The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **4(4)**; 2020 c. 1, Sch. 5 para. 1(1)

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(1) [<sup>F2</sup>OJ L 99, 20.4.1996, p. 14.]

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**Changes and effects yet to be applied to :**

- Annex Indent addition by [EUDN 2016/851](#) Decision