

Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

1 This Regulation lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs) in animals. It shall apply to the production and placing on the market of live animals and products of animal origin and in certain specific cases to exports thereof.

2 This Regulation shall not apply to:

- a cosmetic or medicinal products or medical devices, or to their starting materials or intermediate products;
- b products which are not intended for use in human food, animal feed or fertilisers, or to their starting materials or intermediate products;
- c products of animal origin intended for exhibition, teaching, scientific research, special studies or analysis, provided those products are not eventually consumed or used by humans or by animals other than those kept for the research projects concerned;
- d live animals used in or intended for research.

Article 2

Separation of live animals and of products of animal origin

In order to avoid cross-contamination or substitution between the live animals or of the products of animal origin referred to in Article 1(1) and the products of animal origin referred to in Article 1(2)(a), (b) and (c), or the live animals referred to in Article 1(2) (d), they shall be kept separate at all times unless such live animals or products of animal origin are produced under at least the same conditions of health protection in respect of TSEs.

[^{F1}The appropriate authority may by regulations under Article 24 make provision for the implementation of this Article.]

Textual Amendments

- F1** Words in [Art. 2](#) substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, [4\(2\)](#) (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

Article 3

Definitions

- 1 For the purposes of this Regulation the following definitions shall apply:
- a TSEs: all transmissible spongiform encephalopathies with the exception of those occurring in humans;
 - b placing on the market: any operation the purpose of which is to sell live animals or products of animal origin covered by this Regulation to a third party ^{F2}..., or any other form of supply against payment or free of charge to such a third party or storage with a view to supply to such a third party;
 - c products of animal origin: any product derived from or containing a product derived from any animal covered by the provisions of Directive 89/662/EEC⁽¹⁾ or Directive 90/425/EEC⁽²⁾;
 - d starting materials: raw materials or any other product of animal origin out of which, or with the help of which, the products referred to in Article 1(2)(a) and (b) are produced;
 - e competent authority: the central authority of a [^{F3}constituent nation] competent to ensure compliance with the requirements of this Regulation or any authority to which that central authority has delegated that competence, in particular for the control of feedingstuffs; ^{F4}...
 - f category: one of the classification categories referred to in Chapter C of Annex II;
 - g specified risk material: the tissues specified in Annex V; unless otherwise indicated, it does not include products containing or derived from those tissues;
 - h animal suspected of being infected by a TSE: live, slaughtered or dead animals, which show or have shown neurological or behavioural disorders or a progressive deterioration of the general condition linked to impairment of the central nervous system and for which the information gathered on the basis of a clinical examination, response to treatment, a post-mortem examination or an ante or post-mortem laboratory analysis do not allow an alternative diagnosis to be established. Bovine spongiform encephalopathies (BSE) shall be suspected in bovine animals which have produced a positive result from a rapid test specifically for BSE;
 - i holding: any place in which animals covered by this Regulation are held, kept, bred, handled or shown to the public;
 - j sampling: the taking of samples, ensuring a statistically correct representation, from animals or their environment, or from products of animal origin, for the purpose of establishing a disease diagnosis, familial relationships, for health surveillance, or for the monitoring of the absence of microbiological agents or of certain materials in products of animal origin;
 - k fertilisers: any substance containing products of animal origin utilised on land to enhance growth of vegetation; it may include digestion residues from bio-gas production or composting;
 - ^{F5}l rapid tests: the screening methods listed in Annex X, for which the results are known within 24 hours;]
 - m alternative test: the tests referred to in Article 8(2) which are used as an alternative to the withdrawal of specified risk material^{F5};]
 - ^{F6}n mechanically separated meat or ‘ MSM ’ : the product obtained by removing meat from flesh-bearing bones after boning, using mechanical means resulting in the loss or modification of the muscle fibre structure;

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- o passive surveillance: the reporting of all animals suspected of being infected by a TSE and, where TSE cannot be excluded by clinical investigation, the laboratory testing of such animals;
 - p active surveillance: the testing of animals not reported as suspected of being infected by a TSE, such as emergency slaughtered animals, animals with observations at ante mortem inspection, fallen stock, healthy slaughtered animals and animals culled in connection with a TSE case, in particular in order to determine the evolution and prevalence of TSE in a country or region thereof.]
 - [^{F7}q constituent nation: one of the following nations of the British Islands: England, Guernsey, Isle of Man, Jersey, Scotland or Wales;
 - r OIE: the World Organisation for Animal Health.]
 - [^{F8}s “national reference laboratory”: a laboratory designated in accordance with Article 100 of Regulation (EU) 2017/625.]
- [^{F9}1A In this Regulation, “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;
 - d
- 1B But the appropriate authority is the Secretary of State if consent is given by:
- a in relation to Wales, the Welsh Ministers;
 - b relation to Scotland, the Scottish Ministers;]

2 The specific definitions set out in Annex I shall also apply.

3 Where the terms in this Regulation are not defined in paragraph 1 or Annex I, the relevant definitions given in Regulation (EC) No 1760/2000⁽³⁾ and those given in or pursuant to Directives 64/432/EEC⁽⁴⁾, 89/662/EEC, 90/425/EEC and 91/68/EEC⁽⁵⁾ shall apply insofar as reference is made to them in this text.

Textual Amendments

- F2** Words in Art. 3(1)(b) 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, **2(2)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 3(1)(e) 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(2)(a)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 3(1)(e) 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, **2(2)(a)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F6** Inserted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F7** Art. 3(1)(q)(r) inserted (31.12.2020) by S.I. 2019/170, regs. 1, **2(2)(a)(iii)** (as amended by The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(a), **20(2)(a)(i)**); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

- F8** Art. 3(1)(s) inserted (16.11.2022) by The Animals, Food, Plant Health, Plant Propagating Material and Seeds (Miscellaneous Amendments etc.) Regulations 2022 (S.I. 2022/1090), regs. 1(1), **5(2)**
- F9** Art. 3(1A)(1B) inserted (31.12.2020) by S.I. 2019/170, regs. 1, **2(2)(b)** (as amended by The Animal Health, Invasive Alien Species, Plant Breeders' Rights and Seeds (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1220), regs. 1(2)(b), **5(2)(a)(i)(ii)** and by The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(a), **20(2)(a)(ii)(aa)(bb)**); 2020 c. 1, Sch. 5 para. 1(1)

^{F10}Article 4

Safeguard measures

1 The appropriate authority may by regulations make provision for laying down safeguard measures to reduce the risk of spread of transmissible spongiform encephalopathies covered by this Regulation, including but not limited to suspension of trade, isolation of holdings, delineation of buffer zones and quarantining of animals.

2 The appropriate authority that introduced the safeguard measures must notify each affected exporting country of the reasons for introducing such measures.]

Textual Amendments

- F10** Art. 4 substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(3)** (with reg. 12) (as amended by S.I. 2020/1463, regs. 1(2)(a), **6(3)(a)**); 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER II

DETERMINATION OF BSE STATUS

Article 5

Classification

^{F5}^{F11} The BSE status of countries and regions as categorised by the OIE is—

- a negligible risk,
- b controlled risk, or
- b undetermined risk,

and, as at IP completion day, the BSE status for each of the constituent nations is established by Commission Decision 2007/453.]

The BSE status of countries or regions may be determined only on the basis of the criteria set out in Annex II, Chapter A. These criteria shall include the outcome of a risk analysis on the basis of all the potential factors for the appearance of bovine spongiform encephalopathy as defined in Annex II, Chapter B, and their development over time, as well as comprehensive active and passive surveillance measures taking into account the risk category of the country or region.

^{F12} ...]

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

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[^{F14}6 Exporting countries that are eligible for [^{F15}approval] for the import into Great Britain of live animals or of the products covered by this Regulation must be categorised with regard to BSE status that takes into account the criteria and potential risk factors set out in paragraph 1, and any statistical survey of the epidemiological situation regarding TSEs in the country on the basis of the use, in a screening procedure, of rapid tests. The classification criteria used by the OIE must be taken into account.

Eligibility to import from a third country into Great Britain live animals or products of animal origin within scope of this Regulation under conditions determined on their established category must be established as soon as possible, once any epidemiological or other evidence which might lead to a change in BSE status has been analysed by the appropriate authorities.]

[^{F16}7 The Secretary of State may, with the consent of each other authority which in relation to any part of Great Britain is the appropriate authority, decide ^{F17}... the BSE classification of a country or region ^{F18}..., on the basis of a risk assessment, taking into consideration the criteria set out in Annex 2, Chapters A and B and the OIE classification.]

[^{F19} 7A A decision under paragraph 7 must include the date from which the BSE classification for the country or region is to apply.

7B A decision under paragraph 7 must be set out in a document published by the Secretary of State for the purposes of this Article.]

F20⁸

Textual Amendments

- F5** Substituted by [Regulation \(EC\) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation \(EC\) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies \(Text with EEA relevance\).](#)
- F11** Words in Art. 5(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(3)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 5(1) 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, **2(3)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F13** Art. 5(2)-(5) 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, **2(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Art. 5(6) 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(3)(c)** (as amended by S.I. 2020/1388, regs. 1(2)(a), **20(2)(b)(i)**); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Word in Art. 5(6) substituted (1.7.2022) by [The Import of Animals and Animal Products and Approved Countries \(Amendment\) Regulations 2022 \(S.I. 2022/735\)](#), regs. 1(2), **2(2)(a)**
- F16** Art. 5(7) substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **4(4)** (with reg. 12) (as amended by S.I. 2020/1463, regs. 1(2)(a), **6(3)(b)**); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

- F17** Word in Art. 5(7) omitted (1.7.2022) by virtue of The Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022 (S.I. 2022/735), regs. 1(2), **2(2)(b)(i)**
- F18** Words in Art. 5(7) omitted (1.7.2022) by virtue of The Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022 (S.I. 2022/735), regs. 1(2), **2(2)(b)(ii)**
- F19** Art. 5(7A)(7B) inserted (1.7.2022) by The Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022 (S.I. 2022/735), regs. 1(2), **2(2)(c)**
- F20** Art. 5(8) omitted (31.12.2020) by virtue of S.I. 2019/170, **reg. 2(3)(d)** (as substituted by The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(a), **20(2)(b)(ii)**)

CHAPTER III

PREVENTION OF TSE

Article 6

Monitoring system

[^{F51} [^{F21}The appropriate authority] shall carry out an annual monitoring programme for TSEs based on active and passive surveillance in accordance with Annex III. If available for the animal species, that programme shall include a screening procedure using rapid tests.

Rapid tests shall be approved for that purpose in accordance with [^{F22}any regulations made under Article 24] and listed in Annex X.]

[^{F23}1a The annual monitoring programme referred to in paragraph 1 must cover as a minimum the subpopulations listed in Article 2(1) of Commission Decision 2009/719.]

[^{F24}The first subparagraph of this paragraph 1a does not prevent the exercise by the appropriate authority of any power to disapply the requirement for the annual monitoring programme with respect to animals mentioned in that point in remote areas with a low animal density, where no collection of dead animals takes place, provided that the total number of animals excluded from the monitoring programme in the United Kingdom as a whole is not more than 10% of the bovine population in the United Kingdom.]

[^{F25}1b Annual monitoring programmes may be revised by the appropriate authority to determine the effectiveness of the measures in place and ensure protection of human and animal health based on a comprehensive risk analysis.]

2 [^{F26}The Secretary of State must inform the OIE] of the emergence of a TSE other than BSE.

3 All official investigations and laboratory examinations shall be recorded in accordance with Annex III, Chapter B.

4 [^{F27}The appropriate authority must, where possible, submit to their relevant Parliament an annual report] covering at least the information referred to in Annex III, Chapter B, Part I. The report for each calendar year shall be submitted at the latest by 31 March of the following year. ^{F28}...

[^{F65} Rules for the implementation of this Article shall be adopted in accordance with the procedure referred to in Article 24(2).]

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F5** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F6** Inserted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F21** Words in Art. 6(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(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F22** Words in Art. 6(1) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(5)(a)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in Art. 6(1a) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(5)(b)(i)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F24** Words in Art. 6(1a) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(5)(b)(ii)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F25** Art. 6(1b) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(5)(c)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F26** Words in Art. 6(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, **2(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F27** Words in Art. 6(4) 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(4)(c)(i)** (as amended by S.I. 2020/1388, regs. 1(2)(a), **20(2)(c)**); 2020 c. 1, Sch. 5 para. 1(1)
- F28** Words in Art. 6(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, **2(4)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F6} Article 6a

Breeding Programmes

1 ^{F29} Appropriate authorities may confer together and with expert scientists to] introduce breeding programmes to select for resistance to TSEs in their ovine populations. Those programmes shall include a framework to recognise the TSE-resistant status of certain flocks and may be extended to include other animal species based on scientific evidence corroborating the resistance to TSE of particular genotypes of those species.

^{F30}2 The appropriate authority may by regulations provide for ovine breeding programmes to select breeds that show evidence of resistance to TSEs.]

3 ^{F31}... The scientific results and overall consequences of the breeding programmes shall be evaluated regularly, and where necessary, those programmes shall be amended accordingly.]

Textual Amendments

- F6** Inserted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

- F29** Words in Art. 6a(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(5)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F30** Art. 6a(2) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(6)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F31** Words in Art. 6a(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, **2(5)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F5}Article 7

Prohibitions concerning animal feeding

- 1 The feeding to ruminants of protein derived from animals shall be prohibited.
- 2 The prohibition provided for in paragraph 1 shall be extended to animals other than ruminants and restricted, as regards the feeding of those animals with products of animal origin, in accordance with Annex IV.

^{F32} The appropriate authority may, on the basis of a scientific assessment of the dietary needs of young ruminants decide to use any power that the appropriate authority has to allow the feeding to them of proteins derived from fish.

- 4 No imports or exports are permitted of—
- a feed intended for farmed animals which contains protein derived from mammals from countries, or regions thereof, with an undetermined BSE risk; or
 - b feed, other than feed for dogs, cats and fur animals, which contains processed protein derived from mammals intended for mammals from countries or regions thereof with an undetermined BSE risk;

except in accordance with a tolerance level prescribed by regulations under paragraph 5 or an individual exemption in regulations under Article 23a.]]

^{F33} On the basis of a favourable risk assessment the appropriate authority may by regulations prescribe a tolerance level for insignificant amounts of animal proteins in feedingstuffs caused through adventitious and technically unavoidable contamination.]

^{F34} The appropriate authority may by regulations make rules on the prevention of cross-contamination and on the methods of sampling and analysis required to check compliance with this Article.]

Textual Amendments

- F5** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F32** Art. 7(3)(4) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(7)(a)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F33** Art. 7(5) substituted for Art. 7(4a) (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(7)(b)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F34** Art. 7(6) substituted for Art. 7(5) (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(7)(c)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

[^{F5}Article 8

Specified risk material

[^{F35}1 Specified risk material, referred to and listed in Annex 5 and including at least the brain, spinal cord, eyes and tonsils of bovine animals aged over 12 months, and the vertebral column of bovine animals aged over 30 months, must—

- a be removed and disposed of in accordance with Annex 5 and with Regulation (EC) No 1069/2009;
- b not be imported into Great Britain from any country other than a member State.

2 Tissues from animals which have undergone one of the alternative tests listed in Annex 10, which is applied under the conditions provided for in Annex 5, and in relation to which the test results are negative, are not to be regarded as specified risk material.]

3 [^{F36}In parts of Great Britain] with a controlled or undetermined BSE risk, the laceration, after stunning, of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injection into the cranial cavity in connection with stunning, shall not be used on bovine, ovine or caprine animals whose meat is intended for human or animal consumption.

4 The data relating to age set out in Annex V may be adjusted. Such adjustments shall be based on the latest proven scientific findings concerning the statistical probability of the occurrence of a TSE in the relevant age groups of [^{F37}Great Britain's] bovine, ovine and caprine population.

[^{F38}5 The appropriate authority may by regulations—

- a prescribe the age of bovine animals from which the vertebral column is to be treated as specified risk material;
- b amend the list of specified risk material in Annex 5;
- c prescribe an alternative test to be listed in point 5 of Chapter C of Annex 10;
- d provide for exemptions;
- e prescribe, as respects any country or region with a controlled BSE risk—
 - i the date considered by the appropriate authority to be the date from which effective enforcement of a ban on use of mammalian protein in ruminant feed began, and
 - ii that only animals born before that date must have specified risk material removed and destroyed before being moved into or placed on the market.]]

Textual Amendments

- F5** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F35** Art. 8(1)(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, 2(6)(a) (as amended by S.I. 2020/1388, regs. 1(2)(a), 20(2)(d)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F36** Words in Art. 8(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, 2(6)(b) (as amended by S.I. 2020/1388, regs. 1(2)(a), 20(2)(d)(ii)); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

- F37** Words in Art. 8(4) amended (31.12.2020) by S.I. 2019/170, **reg. 2(6)(c)** (as substituted by The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(a), **20(2)(d)(iii)**)
- F38** Art. 8(5) substituted for Art. 8(5)(6) (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(8)** (with reg. 12) (as amended by S.I. 2020/1463, regs. 1(2)(a), **6(3)(c)**); 2020 c. 1, Sch. 5 para. 1(1)

^{F5}Article 9

Products of animal origin derived from or containing ruminant material

1 The products of animal origin listed in Annex VI shall be produced using production processes approved in accordance with [^{F39}regulations made by the appropriate authority].

2 Bones of bovine, ovine and caprine animals from countries or regions with a controlled or undetermined BSE risk shall not be used for the production of mechanically separated meat (MSM).^{F40} ...

^{F41} ...]

[^{F42} Paragraphs 1 and 2 shall not apply, in the light of the criteria set out in point 5 of Annex V, to ruminants which have undergone an alternative test [^{F43}which has been approved by the appropriate authority, and] is listed in Annex X, where the results of the test were negative.]

^{F44}4

Textual Amendments

- F5** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F39** Words in Art. 9(1) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(9)(a)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F40** Words in Art. 9(2) omitted (31.12.2020) by virtue of The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(9)(b)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F41** Words in Art. 9(2) omitted (31.12.2020) by virtue of S.I. 2019/170, **reg. 2(6A)** (as substituted by The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(a), **20(2)(e)**)
- F42** Substituted by Regulation (EC) No 220/2009 of the European Parliament and of the Council of 11 March 2009 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as regards the implementing powers conferred on the Commission.
- F43** Words in Art. 9(3) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(9)(c)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F44** Art. 9(4) omitted (31.12.2020) by virtue of The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(9)(d)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

Article 10

Education programmes

1 [F45 Appropriate authorities] shall ensure that staff of the competent authority, of diagnostic laboratories and colleges of agriculture and veterinary medicine, official veterinarians, veterinary practitioners, slaughterhouse personnel and animal breeders, keepers and handlers have been given training in the clinical signs, epidemiology and, in the case of staff responsible for carrying out checks, in interpreting laboratory findings relating to TSEs.

F462

Textual Amendments

- F45** Words in Art. 10(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(7)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F46** Art. 10(2) 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, **2(7)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER IV

CONTROL AND ERADICATION OF TSEs

Article 11

Notification

[F47 Any person who suspects an animal of being infected by a TSE must immediately notify the relevant competent authority.]

The competent authority shall without delay take the measures laid down in Article 12 of this Regulation, together with any other necessary measures.

Textual Amendments

- F47** Words in Art. 11 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(8)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 12

Measures with respect to suspect animals

[F51 Any animal suspected of being infected by a TSE shall be either placed under an official movement restriction until the results of a clinical and epidemiological examination

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

carried out by the competent authority are known, or killed for laboratory examination under official control.

If a TSE is officially suspected in a bovine animal at a holding ^{F48} ..., all other bovine animals at that holding shall be placed under an official movement restriction until the results of the examination are available. If a TSE is officially suspected in an ovine or caprine animal at a holding ^{F48} ..., all other ovine and caprine animals at that holding shall be placed under an official movement restriction until the results are available.

However, if there is evidence that the holding where the animal was present when the TSE was suspected is unlikely to be the holding where the animal could have been exposed to the TSE, the competent authority may decide that only the animal suspected of being infected shall be placed under an official movement restriction.

If considered necessary, the competent authority may also decide that other holdings or only the holding of exposure shall be placed under official control depending on the epidemiological information available.

[^{F49}To the extent provided for under paragraph 4, an appropriate authority may make regulations to permit exemptions from implementing movement restrictions where it is satisfied that equivalent safeguards based on an assessment of the possible risks to human and animal health are applied.]]

2 Where the competent authority decides that the possibility of infection with a TSE cannot be ruled out, the animal shall be killed, if it is still alive; its brain and all other tissues as the competent authority may determine shall be removed and sent to an officially approved laboratory ^{F50} ... for examination in accordance with the testing methods laid down in Article 20.

[^{F53} All parts of the body of the suspect animal shall be either retained under official control until a negative diagnosis has been made, or disposed of in accordance with Regulation (EC) No 1774/2002.]

[^{F51}4 The appropriate authority may by regulations prescribe rules for the implementation of this Article.]

Textual Amendments

- F5** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F48** Words in Art. 12(1) omitted (31.12.2020) by virtue of The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(10)(a)(i)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F49** Words in Art. 12(1) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(10)(a)(ii)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F50** Words in Art. 12(2) omitted (16.11.2022) by virtue of The Animals, Food, Plant Health, Plant Propagating Material and Seeds (Miscellaneous Amendments etc.) Regulations 2022 (S.I. 2022/1090), regs. 1(1), **5(3)**
- F51** Art. 12(4) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(10)(b)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 13

Measures following confirmation of the presence of a TSE

1 When the presence of a TSE has been officially confirmed, the following measures shall be applied as soon as possible:

- [^{F5}a all parts of the body of the animal shall be disposed of in accordance with Regulation (EC) No [^{F52}1069/2009] except for material retained for records in accordance with Annex III, Chapter B, of this Regulation.]
- b an inquiry shall be carried out to identify all animals at risk in accordance with Annex VII, point 1;
- [^{F5}c all animals and products thereof at risk, as listed in Annex VII, point 2, of this Regulation, identified by the inquiry referred to in point (b) of this paragraph shall be killed and disposed of in accordance with Regulation (EC) No [^{F52}1069/2009].]

[^{F53}On the basis of a favourable risk assessment that takes relevant control measures into account, an appropriate authority may, to the extent provided for under paragraph 6, either allow the use of bovine animals until the end of their productive lives or apply other means of offering an equivalent level of protection.]

2 Pending the implementation of the measures referred to in paragraph 1(b) and (c), the holding on which the animal was present when the presence of a TSE was confirmed shall be placed under official control and all movement of animals susceptible to TSEs and products of animal origin derived from them from or to the holding shall be subject to authorisation by the competent authority, with a view to ensuring immediate tracing and identification of the animals and products of animal origin concerned.

If there is evidence that the holding where the affected animal was present when the TSE was confirmed is not likely to be the holding where the animal was exposed to the TSE, the competent authority may decide that both holdings or only the holding of exposure shall be placed under official control.

[^{F54}3 To the extent provided for under paragraph 6, an appropriate authority that has implemented a substitute scheme offering equivalent safeguards may, in derogation from the requirements of paragraph 1(b) and (c), be exempted from the requirement to apply official restrictions on the movement of animals and from the requirement to kill or destroy animals.]

4 Owners shall be compensated without delay for the loss of the animals that have been killed or products of animal origin destroyed ^{F55}....

^{F56}5

[^{F57}6 The appropriate authority may by regulations make rules for the implementation of this Article.]

Textual Amendments

- F5** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F52** Words in Art. 13(1)(a)(c) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(11)(a)(i)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

- F53** Words in Art. 13(1) substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **4(11)(a)(ii)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F54** Art. 13(3) substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **4(11)(b)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F55** Words in Art. 13(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, **2(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F56** Art. 13(5) 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, **2(9)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F57** Art. 13(6) substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **4(11)(c)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F58} *Article 14*

Contingency plan

Textual Amendments

- F58** Art. 14 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, **2(10)**; 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER V

PLACING ON THE MARKET AND EXPORT

Article 15

Live animals, their semen, embryos and ova

1 Placing on the market or, if need be, export of bovine, ovine or caprine animals and their semen, embryos and ova shall be subject to the conditions laid down in Annex VIII, or, in the case of imports, to the conditions laid down in Annex IX. The live animals and their embryos and ova shall be accompanied by the appropriate animal health certificates as required by [^{F59}retained direct EU] legislation, in accordance with Article 17 or, in the case of imports, Article 18.

2 The placing on the market of first generation progeny, semen, embryos and ova of TSE suspect or confirmed animals shall be subject to the conditions laid down in Annex VIII, Chapter B.

[^{F60}3 The appropriate authority may by regulations provide—

- a that the provisions of paragraphs 1 and 2 be extended to other species of animal; and
- b for rules for the implementation of this Article.]

Textual Amendments

- F59** Words in Art. 15(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(11)(b)** (as amended by [S.I. 2019/1220](#), regs. 1(2)(b), **5(2)(c)**); 2020 c. 1, Sch. 5 para. 1(1)
- F60** Art. 15(3) substituted for Art. 15(3)(4) (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **4(12)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

Article 16

Placing on the market of products of animal origin

1 The following products of animal origin derived from healthy ruminants shall not be subject to restrictions on placing on the market or, if need be, export pursuant to this Article, to Annex VIII, Chapters C and D, and to Annex IX, Chapters A, C, F and G:

- a products of animal origin covered by Article 15, in particular semen, embryos and ova;
- [^{F5b} milk and dairy products, hides and skins, and gelatine and collagen derived from hides and skins.]

[^{F52} Products of animal origin imported from a third country with a controlled or undetermined BSE risk shall come from healthy bovine, ovine and caprine animals which have not been subjected to a laceration of the central nervous tissue or gas injection into the cranial cavity as referred to in Article 8(3).

3 Food products of animal origin containing material obtained from bovine animals originating in a country or region with an undetermined BSE risk shall not be placed on the market unless they come from animals which:

- a were born eight years after the date from which the prohibition on the feeding to ruminants of animal protein derived from mammals was effectively enforced; and
- b were born, raised and have stayed in herds with a certified history of freedom from BSE for at least seven years.

Furthermore, food products of ruminant origin shall not be [^{F61}imported from a country or region] with an undetermined BSE risk.

This prohibition shall not apply to products of animal origin listed in Annex VIII, Chapter C, and fulfilling the requirements of Annex VIII, Chapter C.

They must be accompanied by an animal health certificate issued by an official veterinarian certifying that they have been produced in conformity with this Regulation.]

4 When an animal is moved from a country or a region to country or region included in another category, it shall be classified in the highest category of the countries or regions in which it has stayed over twenty-four hours unless adequate guarantees can be provided certifying that the animal has not received feedingstuffs from the country or region classified in the highest category.

[^{F625} Products of animal origin for which this Article lays down specific rules must be accompanied by such animal health certificate or commercial document as may be made available or published for the time being by the appropriate authority.]

6 For the purpose of import ^{F63}..., products of animal origin shall comply with the conditions laid down in Annex IX, Chapters A, C, F and G.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

- [^{F64}7 The appropriate authority may by regulations provide—
- a that the provisions of this Article be extended to other products of animal origin; and
 - b for rules for implementation of this Article.]

Textual Amendments

- F5** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F61** Words in Art. 16(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, **2(12)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F62** Art. 16(5) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(13)(a)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F63** Words in Art. 16(6) 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, **2(12)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F64** Art. 16(7) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(13)(b)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

[^{F65} Article 17

Health certificates

Appropriate health certificates relating to trade in the semen, embryos and ova of bovine, ovine or caprine animals, and appropriate commercial documents relating to trade in products of animal origin must be supplemented, where necessary, by a reference to the category specifying the BSE classification.]

Textual Amendments

- F65** Art. 17 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(13)**; 2020 c. 1, Sch. 5 para. 1(1)

[^{F66} Article 18

Supplementation of health certificates

The appropriate health certificates relating to imports must be supplemented in respect of the BSE classification of any country by the specific requirements laid down in Annex 9, as soon as that classification is confirmed.]

Textual Amendments

- F66** Art. 18 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(14)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

CHAPTER VI

REFERENCE LABORATORIES, SAMPLING, TESTING AND CONTROLS

^{F67} Article 19[^{F67}Reference laboratories]**Textual Amendments**

F67 Deleted by Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (Text with EEA relevance).

*Article 20***Sampling and laboratory methods**

1 Sampling and laboratory testing for the presence of a TSE shall be carried out using the methods and protocols laid down in Annex X, Chapter C.

[^{F68} 2 Where necessary, to ensure the uniform application of this Article, the appropriate authority may by regulations introduce rules relating to the implementation of this Article, including the method to determine the presence of BSE in ovine and caprine animals.]

Textual Amendments

F68 Art. 20(2) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, 4(14) (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F67} Article 21[^{F67}Community controls]**Textual Amendments**

F67 Deleted by Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (Text with EEA relevance).

CHAPTER VII

TRANSITIONAL AND FINAL PROVISIONS

^{F69} Article 22

Transitional measures concerning specified risk material

Textual Amendments

F69 Art. 22 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, **2(16)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F70} Article 23

Amendment of the Annexes

The appropriate authority may, after taking appropriate advice on any question which could have an impact on public health, by regulations amend the Annexes.]

Textual Amendments

F70 Art. 23 substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/588), regs. 1, **4(15)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F6} Article 23a

^{F71}The appropriate authority may by regulations amend the following non-essential elements of this Regulation, including by supplementing it:]

- (a) ^{F42}approval of the rapid tests referred to in Article 5(3) third subparagraph, Article 6(1), Article 8(2) and Article 9(3),]
- (b) adaptation of the age referred to in Article 6(1b),
- (c) criteria to demonstrate improvement of the epidemiological situation referred to in Article 6(1b),

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

- (d) decision to allow feeding of young animals of ruminant species with proteins derived from fish as referred to in Article 7(3),
- (e) criteria for granting exemptions from the restrictions referred to in Article 7(4),
- (f) decision to introduce a tolerance level as referred to in Article 7(4a),
- (g) ^{F72} ...
- (h) rules providing for exemptions from the requirement to remove and destroy specified risk material as referred to in Article 8(5),
- (i) approval of production processes referred to in Article 9(1),
- (j) decision to extend certain provisions to other animal species as referred to in Article 15(3) [^{F42},]
- (k) [^{F73}extension to other products of animal origin of the provisions of paragraphs 1 to 6 of Article 16,
- (l) adoption of the method to confirm BSE in ovine and caprine animals referred to in Article 20(2),
- (m) ^{F74} ...]]

Textual Amendments

- F6** Inserted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F42** Substituted by Regulation (EC) No 220/2009 of the European Parliament and of the Council of 11 March 2009 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as regards the implementing powers conferred on the Commission.
- F71** Words in Art. 23a substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(16)(a)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F72** Art. 23a(g) omitted (31.12.2020) by S.I. 2019/588, **reg. 4(16)(b)** (as amended by The Aquatic Animal Health and Alien Species in Aquaculture, Animals, and Marketing of Seed, Plant and Propagating Material (Legislative Functions and Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1463), regs. 1(2)(a), **6(3)(d)**)
- F73** Inserted by Regulation (EC) No 220/2009 of the European Parliament and of the Council of 11 March 2009 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as regards the implementing powers conferred on the Commission.
- F74** Art. 23a(m) omitted (31.12.2020) by virtue of The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(16)(b)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F75} Article 24

Regulations

1 Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

2 For regulations made under this Regulation by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010 ^{F76}.

3

4 A statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.

5 A statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of the Welsh Parliament.

6 Regulations made by the Scottish Ministers under this Regulation are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

7

8 Regulations made under this Regulation may—

- a contain consequential, incidental, supplementary, transitional or saving provision, including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018);
- b make different provision for different purposes.

9 Before making any regulations under this Regulation, the appropriate authority must—

- a ensure that they are based on an appropriate assessment of the possible risks for human and animal health and must maintain or increase the level of protection of human and animal health in line with the latest scientific evidence; and
- b consult—
 - i such bodies or persons as appear to the appropriate authority to be representative of the interests likely to be substantially affected by the regulations;
 - ii such other bodies or persons as the appropriate authority considers appropriate.]

Textual Amendments

F75 Art. 24 substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/588), regs. 1, **4(17)** (with reg. 12) (as amended by S.I. 2020/1463, regs. 1(2)(a), **6(3)(e)**); 2020 c. 1, Sch. 5 para. 1(1)

F76 2010 asp 10.

^{F77} Article 24a

.....

Textual Amendments

F77 Art. 24a omitted (31.12.2020) by virtue of [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/588), regs. 1, **4(18)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

^{F78} Article 25

Consultation of the scientific committees

.....

Textual Amendments

F78 Art. 25 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, **2(16)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 26

Entry into force

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 July 2001.

F79 ...

.....

Textual Amendments

F79 Words in [Signature](#) 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, **2(17)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council. (See end of Document for details)

- (1) Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market (OJ L 395, 30.12.1989, p. 13). Directive as last amended by Council Directive 92/118/EEC (OJ L 62, 15.3.1993, p. 49).
- (2) Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market (OJ L 224, 18.8.1990, p. 29). Directive as last amended by Council Directive 92/118/EEC.
- (3) Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 (OJ L 204, 11.8.2000, p. 1).
- (4) Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ 121 29.7.1964, p. 1977/64). Directive as last amended by Directive 2000/20/EC of the European Parliament and of the Council (OJ L 163, 4.7.2000, p. 35).
- (5) Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals (OJ L 46, 19.2.1991, p. 19). Directive as last amended by Commission Decision 94/953/EC (OJ L 371, 31.12.1994, p. 14).

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council.