

SCHEDULE 1

Regulation 17

ANIMAL BY-PRODUCT REQUIREMENTS

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Subject matter of requirement</i>	<i>Provisions containing the basic requirement</i>	<i>Provisions to be read with the provision(s) mentioned in Column 2</i>
1. General Obligation	Article 4(1) or (2) of the EU Control Regulation	Article 5(1) and (2) of the EU Control Regulation as read with Article 3 of the EU Implementing Regulation (end point in the manufacturing chain)
2. Compliance with general animal health restrictions	Article 6(1) of the EU Control Regulation	Article 6(1) of the EU Control Regulation and Article 4 of the EU Implementing Regulation (serious transmissible diseases)
3. Compliance with restrictions on use for feeding purposes	Article 11 of the EU Control Regulation	Regulations 4 to 6 (access) and regulation 7(2) of these Regulations (subject to regulation 7(3)) (additional waiting period for pigs) Article 11(2) of the EU Control Regulation; as read with Article 5(1) of the EU Implementing Regulation (restrictions on use in respect of Article 11(1)(a) of the EU Control Regulation) and Article 5(2) of that Regulation (restrictions on use in respect of Article 11(1)(c) of the EU Control Regulation)
4. Disposal and use of Category 1 material	Article 12 of the EU Control Regulation as read with— the following provisions of Article 16 (derogations) of that Regulation— Article 16(b) (disposal and use in accordance with Article 17); Article 16(c) (disposal and use in accordance with Article 18(2)); Article 16(d) (disposal and use in accordance with Article 19);	Article 15(1)(b) of the EU Control Regulation as read with Article 8(1) of the EU Implementing Regulation (requirements for processing plants and other establishments) and Article 9(b) of that Regulation (standard processing methods)

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Subject matter of requirement</i>	<i>Provisions containing the basic requirement</i>	<i>Provisions to be read with the provision(s) mentioned in Column 2</i>
	Article 16(e) (disposal and use in accordance with Article 20)	
	Article 7 of the EU Implementing Regulation	Article 15(1)(d) of the EU Control Regulation as read with Article 6(3) to (5) of the EU Implementing Regulation (disposal by incineration in respect of Article 12(a) or (b) of the EU Control Regulation)
		Article 17(2) of the EU Control Regulation as read with Article 11(2) of the EU Implementing Regulation (special rules on research and diagnostic samples) and Article 12(2) of that Regulation (special rules on trade samples and display items)
		Article 19(4) of the EU Control Regulation as read with Article 15 of the EU Implementing Regulation (collection, transport and disposal)
		Article 20(11) of the EU Control Regulation (supplementary measures) as read with Article 9(c) of the EU Implementing Regulation (alternative processing methods)
5. Disposal and use of Category 2 material	<p>Article 13 of the EU Control Regulation, as read with—</p> <p>Article 15(2)(b) of the EU Control Regulation; and the following provisions of Article 16 (derogations) of that Regulation—</p> <p>Article 16(b) (disposal and use in accordance with Article 17);</p> <p>Article 16(c) (disposal and use in accordance with Article 18(1));</p> <p>Article 16(d) (disposal and use in accordance with Article 19);</p>	<p>Article 15(1)(b) of the EU Control Regulation and Article 8(1) of the EU Implementing Regulation (requirements for processing plants and other establishments and Article 9(b) of that Regulation (standard processing methods)</p> <p>Article 15(1)(c) of the EU Control Regulation and Article 10(1) of the EU Implementing Regulation (requirements regarding transformation into biogas and composting in respect of Article 13(e) or (f) of the EU Control Regulation)</p> <p>Article 15(1)(d) and Article 6(3) to (5) of the EU Implementing Regulation (disposal by incineration in respect of Article 13(a) or (b) of the EU Control Regulation)</p> <p>Article 17(2) of the EU Control Regulation as read with Article 11(2) of the EU Implementing Regulation (special rules on research and diagnostic samples) and Article 12(2) of that Regulation (special rules on trade samples and display items)</p>

<i>Column 1</i> <i>Subject matter of requirement</i>	<i>Column 2</i> <i>Provisions containing the basic requirement</i>	<i>Column 3</i> <i>Provisions to be read with the provision(s) mentioned in Column 2</i>
	<p>Article 16(e) (disposal and use in accordance with Article 20);</p> <p>Article 16(f) (disposal and use of for the preparation and application of bio-dynamic preparations);</p> <p>Article 16(h) (disposal and use as a result of surgery on a farm)</p>	<p>Article 18(3) of the EU Control Regulation as read with Article 13(1) of the EU Implementing Regulation (special feeding rules) and regulation 8 of these Regulations (collection centres)</p> <p>Article 19(4) of the EU Control Regulation as read with Article 15 of the EU Implementing Regulation (collection, transport and disposal)</p> <p>Article 20(11) of the EU Control Regulation as read with Article 9(c) of the EU Implementing Regulation (alternative processing methods)</p>
6. Disposal and use of Category 3 material	<p>Article 14 of the EU Control Regulation, as read with—</p> <p>the following provisions of Article 16 (derogations) of that Regulation—</p> <p>Article 16(b) (disposal and use in accordance with Article 17);</p> <p>Article 16(c) (disposal and use in accordance with Article 18(1));</p> <p>Article 16(d) (disposal and use in accordance with Article 19);</p> <p>Article 16(e) (disposal and use in accordance with Article 20);</p> <p>Article 16(f) ; (disposal and use of for the preparation and application of bio-dynamic preparations);</p> <p>Article 16(g) (use for feeding);</p>	<p>Article 15(1)(b) of the EU Control Regulation as read with Article 8(1) of the EU Implementing Regulation (requirements for processing plants and other establishments) and Article 9(b) of that Regulation (standard processing methods)</p> <p>Article 15(1)(c) of the EU Control Regulation and Article 10(1) of the EU Implementing Regulation (requirements regarding transformation into biogas and composting in respect of Article 14(f) or (g) of the EU Control Regulation)</p> <p>Article 15(1)(d) of the EU Control Regulation and Article 6(3) to (5) of the EU Implementing Regulation (disposal by incineration in respect of Article 14(a) or (b) of the EU Control Regulation)</p> <p>Article 17(2) of the EU Control Regulation as read with Article 11(2) of the EU Implementing Regulation (special rules on research and diagnostic samples) and Article 12(2) of that Regulation (special rules on trade samples and display items)</p> <p>Article 18(3) of the EU Control Regulation as read with Article 13(2) of the EU Implementing Regulation (special feeding rules)</p> <p>Article 19(4) of the EU Control Regulation as read with Article 15 of the EU Implementing Regulation (collection, transport and disposal)</p>

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Subject matter of requirement</i>	<i>Provisions containing the basic requirement</i>	<i>Provisions to be read with the provision(s) mentioned in Column 2</i>
	Article 16(h) (disposal and use as a result of surgery on a farm) and Article 7 of the EU Implementing Regulation	Article 20(11) (supplementary measures) of the EU Control Regulation as read with Article 9(c) of the EU Implementing Regulation (alternative processing methods) Article 36(3) of the EU Implementing Regulation (transitional measures) as read with regulation 29 of these Regulations (small quantities transitional provision)
7. Collection and identification as regards category and transport	Article 21(1) to (4) of the EU Control Regulation	Article 21(5) to (6) of the EU Control Regulation as read with Article 17 of the EU Implementing Regulation (requirements of collection, transport, identification and traceability)
8. Traceability	Article 22(1) to (2) of the EU Control Regulation	Article 22(3) of the EU Control Regulation as read with Article 17 of the EU Implementing Regulation (requirements of collection, transport, identification and traceability)
9. Registration of operators, establishments and plants	Article 23(1) of the EU Control Regulation (subject to Article 23(4)), and Article 23(2) of that Regulation as read with Article 55 of the EU Control Regulation	Regulation 11 of these Regulations (procedure for registration) Article 23(3) of the EU Control Regulation and Article 27 of that Regulation as read with Article 20(1) and (2) of the EU Implementing Regulation (subject to paragraph (3)) (requirements of certain registered establishments and plants) Article 47(2) of the EU Control Regulation as read with Article 32(7) of the EU Implementing Regulation (format requirements for lists of registered operators)
10. Approval of establishments and plants	Article 24 of the EU Control Regulation as read with Article 44(3) of the EU Control Regulation and Article 55 of that Regulation	Regulation 13 of these Regulations (procedure for approval) Article 27 of the EU Control Regulation (implementing measures) as read with Article 19 of the EU Implementing Regulation (requirements concerning certain approved establishments and plants) and Article 33 of that Regulation (re-approval of plants and establishments after the grant of a temporary approval)

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<i>Subject matter of requirement</i>	<i>Provisions containing the basic requirement</i>	<i>Provisions to be read with the provision(s) mentioned in Column 2</i>
		Article 47(2) of the EU Control Regulation as read with Article 32(7) of the EU Implementing Regulation (format requirements for lists of approved operators)
11. General hygiene conditions	Article 25 of the EU Control Regulation	Article 27 of the EU Control Regulation (implementing measures) as read with Article 9(a) of the EU Implementing Regulation (hygiene and processing requirements) Article 19 of the EU Implementing Regulation (requirements in relation to certain approved plants in Article 24 of the EU Control Regulation and Article 20 of the EU Implementing Regulation (requirements in relation to certain registered operators)
12. Handling of animal by-products within food businesses	Article 26 of the EU Control Regulation	
13. Own checks	Article 28 of the EU Control Regulation	
14. Hazard analysis	Article 29(1) to (3) of the EU Control Regulation	
15. Placing on the market animal by-products and derived products for feeding to farmed animals excluding fur animals	Article 31(1) of the EU Control Regulation	Article 31(2) of the EU Control Regulation as read with Article 21 of the EU Implementing Regulation (placing on the market for feeding to farmed animals) and Article 24(2) of that Regulation (pet food and other derived products)
16. Placing on the market and use of organic fertilisers and soil improvers	Article 32(1) and (2) of the EU Control Regulation	Regulation 7(1) of these Regulations (subject to regulation 7(3)) (application of fertilisers) Article 32(3) of the EU Control Regulation as read with Article 22(1) to (3) of the EU Implementing Regulation (placing on the market of fertilisers) Article 36(1) of the EU Implementing Regulation (transitional measures)
17. Collection and movement for manufacture of derived products	Article 34 of the EU Control Regulation except in so far as it relates to imports	Article 33 of the EU Control Regulation (placing on the market of derived products) Article 23 of the EU Implementing Regulation (intermediate products)

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<i>Subject matter of requirement</i>	<i>Provisions containing the basic requirement</i>	<i>Provisions to be read with the provision(s) mentioned in Column 2</i>
18. Compliance with prohibition on use for manufacture for products not within Article 33 or 36 of the EU Control Regulation	Article 24(1) of the EU Implementing Regulation	Article 33 of the EU Control Regulation (placing on the market of certain derived products regulated by Community legislation) Article 36 of that Regulation (placing on the market of other derived products)
19. Placing on the market of pet food	Article 35 of the EU Control Regulation	Article 5(2) of the EU Control Regulation as read with Article 3 of the EU Implementing Regulation (end point in the manufacturing chain) Article 40 of the EU Control Regulation as read with Article 24(3) of the EU Implementing Regulation (pet food and other derived products)
20. Placing on the market of other derived products	Article 36 of the EU Control Regulation	Regulation 10 of these Regulations (placing on the market) Article 5(2) of the EU Control Regulation as read with Article 3 of the EU Implementing Regulation (end point in the manufacturing chain) Article 40 of the EU Control Regulation as read with Article 24(1), (2) and (4) of the EU Implementing Regulation (pet food and other derived products)
21. Safe sourcing	Article 37(2) of the EU Control Regulation	
22. Export	Article 43 of the EU Control Regulation	
23. Controls for dispatch	Article 48(1), (4) and (5), as read with Article 48(6), of the EU Control Regulation	Article 48(7) and (8) of the EU Control Regulation as read with Article 11(3) of the EU Control Regulation (special rules on research and diagnostic samples), Article 12(3) of that Regulation (special rules on trade samples and display items) and Article 31 of that Regulation (models of health certificates and declarations for importation and transit)

SCHEDULE 2

Regulation 27

CONSEQUENTIAL AMENDMENTS

The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations Northern Ireland 1999

1. The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations Northern Ireland 1999(1) are amended as follows—

- (a) In regulation 1 (citation, commencement and interpretation) in paragraph (2), for the definition of “the Community Regulation” substitute—

““the Community Regulation” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation); and”

- (b) In regulation 2 (exemption from registration) in paragraph (1)(j), for the words “Article 7(1) or 7(2)” substitute “Article 21(1) to (3)”;

The Controlled Waste Regulations (Northern Ireland) 2002

2. The Controlled Waste Regulations (Northern Ireland) 2002(2) are amended as follows.

3. In regulation 8 (waste not to be treated as industrial or commercial waste)—

- (a) in paragraph (3), for the words “Article 7(1) or 7(2)” substitute “Article 21(1) to (3)”; and

- (b) for paragraph (4) substitute—

“(4) In this regulation—

- (a) “the Community Regulation” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);

- (b) “animal by-products” has the same meaning as in Article 3(1) of the Community Regulation.”.

The Waste Management Licensing Regulations (Northern Ireland) 2003

4. The Waste Management Licensing Regulations (Northern Ireland) 2003(3) are amended as follows.

5. In regulation 1(3) (citation, commencement and interpretation), for the definition of “the Community Regulation” substitute—

- (a) “the Community Regulation” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);

- (b) “animal by-products” has the same meaning as in Article 3(1) of the Community Regulation.

(1) S.R. 1999 No. 362 as amended by S.R. 2006 No. 280

(2) S.R. 2002 No.248 as last amended by S.R. 2006, No.280

(3) S.R. 2003 No. 493 as last amended by S.R. 2006 No. 280

The Animal By-Products (Identification) Regulations (Northern Ireland) 1999

6. The Animal By-Products (Identification) Regulations (Northern Ireland) 1999⁽⁴⁾ are amended as follows.

7. In regulation 2 (interpretation)—

(a) Omit the definition—

““the 2003 Regulations” means the Animal By-Products Regulations (Northern Ireland) 2003;”;

(b) for the definition of “approved incineration plant” substitute—

““approved incineration plant” means an incineration plant which is approved under Article 24(1)(b) of the Community Regulation;”;

(c) for the definition of “approved rendering plant” substitute—

““approved rendering plant” means a Category 2 processing plant which is approved under Article 24(1)(a) of the Community Regulation;”;

(d) for the definition of “the Community Regulation” substitute—

““the Community Regulation” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);” and

8. For regulation 4(b) (scope) substitute—

“(b) affect the operation of the Animal By-Products (Enforcement) Regulations (Northern Ireland) 2011⁽⁵⁾ or any order made, or having effect, under the Diseases of Animals (Northern Ireland) Order 1981⁽⁶⁾.”.

9. In regulation 5 (exemptions)—

(a) in paragraph (2)(d), for the words “the 2003 Regulations” substitute “the Community Regulation”; and

(b) in paragraph (2)(e), for the words “the 2003 Regulations” substitute “the Community Regulation”.

10. In regulation 9(3) (storage and packaging of animal by-products)—

(a) in paragraph (3)(d), for the words “Article 2.1(c)” substitute “Article 9”; and

(b) in paragraph (3)(e), for the words “Article 2.1(d)” substitute “Article 10”.

The Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998

11. The Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998⁽⁷⁾ are amended as follows.

12. In regulation 2(1) (interpretation)—

(a) in the definition of “product of animal origin”, in sub-paragraph (b)(v) for the words “Directive 90/667” substitute “Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”;

(b) after the definition of “Regulation 1274/91” insert—

(4) S.R. 1999 No.418, as last amended by S.R. 2003 No. 504

(5) S.R. 2011 No. 124

(6) S.I. 1981/1115 (N.I. 22) as amended

(7) S.R. 1998 No. 45 partially disapplied by S.R. 2007 No. 199

““Regulation (EC) No. 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);

“Regulation (EU) No. 142/2011” means Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.”.

13. In regulation 9 (exports), after each reference to “Directive 92/118” insert “,Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”.

14. In regulation 10(1) (registration of certain establishments which produce, process or store products of animal origin)—

- (a) after each reference to “Directive 92/118” insert “,Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”; and
- (b) in sub-paragraph (a), for “15 of Schedule 3, under the Animal By-Products Regulations (Northern Ireland) 1993” substitute “ 16 of Schedule 3”.

15. In regulation 11 (notification of certain establishments which supply or store products of animal origin)—

- (a) after each reference to “Directive 92/118” insert “Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”; and
- (b) in paragraph (1), for “15 of Schedule 3, under the Animal By-Products Regulations (Northern Ireland) 2003” substitute “ 16 of Schedule 3”.

16. In Schedule 3 (directives to be complied with for intra-community trade)—

- (a) at the end of the title to paragraph 12, insert “and also not subject to Regulation (EC) No. 1069/2009 and Regulation (EU) No. 142/2011”; and
- (b) after paragraph 15 (wild game meat), insert—

“Animal By-Products

16. Regulation (EC) No. 1069/2009 and Regulation (EU) No. 142/2011.”.

The Foot-and-Mouth Disease Regulations (Northern Ireland) 2006

17. The Foot-and-Mouth Disease Regulations (Northern Ireland) 2006(8) are amended as follows.

18. In regulation 2(1) (interpretation) after the definition of “raw milk” insert—

““Regulation (EC) No. 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);

“Regulation (EU) No. 142/2011” means Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human

(8) S.R. 2006 No. 42

consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

19. In regulation 25 (slaughter; control of faecal material), in paragraph (2)(b) for the words “point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption, as amended,” substitute “ Articles 15 and 32 of Regulation (EC) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”.

20. In article 26(2)(c) (slaughter: isolation of things liable to spread disease) for “Regulation (EC) No. 1774/2002, as amended” substitute “Regulation (EC) No. 1069/2009”.

21. In Schedule 5 (measures applicable in respect of protection zones and surveillance zones)—

- (a) in paragraph 11(4) (transport, treatment and spreading of dung, manure or slurry produced in a protection zone) of Part II, for the words “point 5 of Section II in Part A of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Articles 15 and 32 of Regulation (EC) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011 to Regulation (EU) No. 142/2011”; and
- (b) in paragraph 8(4) (transport, treatment and spreading of dung, manure, slurry and litter produced in a surveillance zone) of Part III, for the words “point 5 of Section II in Part A of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Articles 15 and 32 of Regulation (EC) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011 to Regulation (EU) No. 142/2011”.

22. In Part I of Schedule 6 (treatments to ensure the destruction of disease virus)—

- (a) in paragraph 2 (hides and skins), for the words “ article 20 of and points A(2)(c) or (d) of Chapter VI of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “ Article 36 of Regulation (EC) No. 1069/2009 and point 28(c) and (d) of Annex I to Regulation (EU) No. 142/2011”;
- (b) in paragraph 3 (wool, ruminant hair and pig bristles), for the words “article 20 of and point A(1) of Chapter VIII of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Article 36 of Regulation (EC) No. 1069/2009 and Article 24(4) of Regulation (EU) No. 142/2011”;
- (c) in paragraph 5 (blood and blood products), for the words “point B(3)(e)(ii) of Chapter IV of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “point 2(b)(ii) of Chapter IV of Annex XIII to Regulation (EU) No. 142/2011”;
- (d) in paragraph 6 (lard and rendered fats), for the words “point B(2)(d)(iv) of Chapter IV of Annex VII to Regulation (EC) No. 1774/2002, as amended” substitute “point 3(d) of Chapter I of Annex XIV to Regulation (EU) No. 142/2011”;
- (e) in paragraph 7 (petfood and dog chews), for the words “points B(2), (3) or (4) of Chapter II of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Chapter II of Annex XIII to Regulation (EU) No. 142/2011”; and
- (f) in paragraph 8 (game trophies of ungulates), for the words “points A(1), (3), or (4) of Chapter VII of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Chapter VI of Annex XIII to Regulation (EU) No. 142/2011”.

The Foot-and-Mouth Disease (Control of Vaccination) Regulations (Northern Ireland) 2006

23. The Foot-and-Mouth Disease (Control of Vaccination) Regulations Northern Ireland 2006⁽⁹⁾ are amended as follows.

24. In Part III of the Schedule (measures applicable in respect of a vaccination zone), in paragraph 18 (transport, treatment and distribution of dung, manure and slurry), for sub-paragraph (4) substitute—

“(4) The occupier of any premises to which dung or manure is transported by authority of a licence granted under sub-paragraph (3) shall ensure that it is treated in accordance with—

- (a) Articles 15 and 32 of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation); and
- (b) Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011 to Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.”.

The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006

25. The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006⁽¹⁰⁾ are amended as follows.

26. In Part 1 of Schedule 2 (Legislation in relation to intra-community trade), for paragraph 9 (animal waste) substitute—

“Animal by-products

7.—(1) Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation).

(2) Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.”.

The Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007

27. The Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007⁽¹¹⁾ are amended as follows.

(9) S.R. 2006 No. 43

(10) S.R. 2006 No. 401 as amended by S.R. 2007 No. 59, S.R. 2007 No. 224, S.R. 2007 No. 327, S.R. 2008 No. 53, S.R. 2009 No.86, S.R. 2010 No. 380 and S.R. 2011 No. 27

(11) S.R. 2007 No. 314 as amended by S.R. 2007 No. 314, S.R. 2009 No. 130, S.R. 2009 No. 323, and S.R. 2010 No. 417

28. In regulation 2(1) (interpretation), after the definition of “Regulation (EC) No. 136/2004” insert—
- ““Regulation (EU) No 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);
- “Regulation (EU) No 142/2011” means Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.
29. In regulation 4 (exemption for authorised products and personal imports)—
- in paragraph (1), at the end, insert “other than products to which Article 17 of Regulation (EC) No. 1069/2009 and Articles 11(2) and 12(2) of Regulation (EU) No. 142/2011 apply”;
 - in paragraph (4) for the words “Regulation (EC) No. 1774/2002 and the Animal By-Products Regulations 2005” substitute “Regulation (EC) No. 1069/2009 and the Animal By-Products (Enforcement) Regulations (Northern Ireland) 2011”; and
 - in paragraph (5)(b) for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.
30. In regulation 5(1)(a) (enforcement authorities and exchange of information), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.
31. In regulation 6(1)(a) (appointment of official veterinary surgeons and authorised officers), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.
32. In regulation 21 (products which fail veterinary checks)—
- in paragraph (3)(b), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”; and
 - in paragraph (5)(b), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.
33. In regulation 22 (treatment as animal by-products)—
- in paragraph (1), for the words “regulation 26 of the Animal By-Products Regulations (Northern Ireland) 2003” substitute “Articles 17 and 18 of Regulation (EC) No. 1069/2009 and Articles 11(2), 12(2) and 14 of Regulation (EU) No. 142/2011”; and
 - in paragraph (3), for the words ““regulation 26 of the Animal By-Products Regulations (Northern Ireland) 200” substitute “Articles 17 and 18 of Regulation (EC) No. 1069/2009”.
34. In regulation 24(4) (consignments and products illegally brought in), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.
35. In regulation 43(1)(b) (disposal of returned transit products), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.
36. In Schedule 1(import conditions), in Part VIII (miscellaneous products) under Health Certification Requirements, for paragraph 3 substitute—
- “(3) Regulation (EC) No. 1069/2009 and Regulation (EU) No. 142/2011.”.

The Avian Influenza (H5N1 in Poultry) Regulations (Northern Ireland) 2007

37. The Avian Influenza (H5N1 in Poultry) Regulations (Northern Ireland) 2007(12) are amended as follows.

38. In regulation 2(1) (interpretation)—

(a) in the definition of “bird by-product”, for the words “Articles 4, 5 or 6 of Regulation (EC) No 1774/2002” substitute Articles 8, 9 or 10 of Regulation (EC) No. 1069/2009”; and

(b) for the definition of “Regulation (EC) No. 1774/2002” substitute—

““Regulation (EC) No. 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”;

(c) after the definition as inserted by sub-paragraph (b) insert—

““Regulation (EU) No 142/2011” means Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

39. In regulation 3(7) (licences, notices, designations and declarations), for sub-paragraph (b) substitute—

“(b) the following plants if approved under Article 24 of Regulation (EC) No. 1069/2009—

- (i) incineration plants;
- (ii) co-incineration plants;
- (iii) processing plants;
- (iv) biogas plants;
- (v) composting plants;
- (vi) petfood plants.”.

40. In regulation 15 (restrictions on the movement of bird by-products)—

(a) for paragraph (2) substitute—

“(2) The Department may licence the movement of any of the following bird by-products—

- (a) processed animal protein within the meaning of paragraph 5 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 1 of Chapter II of Annex X to that Regulation;
- (b) blood products within the meaning of paragraph 4 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph B of Section 2 of Chapter II of Annex X to that Regulation;
- (c) rendered fats within the meaning of paragraph 8 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph B of Section 3 of Chapter II of Annex X to that Regulation;

(12) S.R. 2007 No.207 as amended by S.R. 2008 No. 197

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- (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
 - (e) hydrolysed protein within the meaning of paragraph 14 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
 - (f) dicalcium phosphate which complies with the requirements of paragraph B of Section 6 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (g) tricalcium phosphate which complies with the requirements of paragraph B of Section 7 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (h) collagen within the meaning of paragraph 11 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 8 of Chapter II of Annex X to that Regulation;
 - (i) egg products which comply with the requirements of paragraph B of Section 9 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (j) processed pet food within the meaning of paragraph 20 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of Chapter II of Annex XIII to that Regulation;
 - (k) raw petfood within the meaning of paragraph 21 of Annex I to Regulation (EU) No. 142/2011 and which complies with Chapter II of Annex XIII;
 - (l) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of Chapter II of Annex XIII to that Regulation;
 - (m) processed manure and processed manure products which comply with the requirements of Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011;
 - (n) game trophies having undergone a complete taxidermy treatment ensuring their preservation at ambient temperatures within the meaning of Chapter VI of Annex XIII to Regulation (EU) No. 142/2011;
 - (o) those by-products which are transported to designated plants within Article 3(7) (b) for disposal, treatment, transformation or use which ensures inactivation of the avian influenza virus;
 - (p) those products which are transported to users or collection centres authorised and registered in accordance with Articles 23 of Regulation (EU) No. 142/2011 for the feeding of animals after they have been treated by a method approved by the Department which ensures inactivation of the avian influenza virus;
 - (q) untreated feathers or parts of untreated feathers produced from poultry within the meaning of paragraph 30 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph A of Chapter VII of Annex XIII to that Regulation;
 - (r) poultry feathers, feathers from wild game birds or parts of such feathers which have been treated with a steam current or by another method which ensures inactivation of the avian influenza virus.”;
- (b) in paragraph (3), for the words “Annex V to Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009 and Annex IV to Regulation (EU) No. 142/2011”; and
- (c) in paragraph (4), for the words “Chapter X of Annex II to Regulation (EC) No. 1774/2002” substitute “Chapter III of Annex VIII to Regulation (EU) No. 142/2011”.

The Avian Influenza (H5N1 in Wild Birds) Regulations (Northern Ireland) 2007

41. The Avian Influenza (H5N1 in Wild Birds) Regulations (Northern Ireland) 2007(13) are amended as follows.

42. In regulation 2(1) (interpretation)—

(a) in the definition of “bird by-product” for the words “Articles 4, 5 or 6 of Regulation (EC) No. 1774/2002” substitute Articles 8, 9 or 10 of Regulation (EC) No. 1069/2009”; and

(b) for the definition of “Regulation (EC) No. 1774/2002” substitute—

““Regulation (EC) No. 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”;

(c) after the definition as inserted by sub-paragraph (b) insert—

““Regulation (EU) No. 142/2011” means Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

43. In article 13(1)(designation of premises to which things may be moved), for sub-paragraph (b) substitute—

“(b) the following plants if approved under Article 24 of Regulation (EC) No. 1069/2009—

- (i) incineration plants;
- (ii) co-incineration plants;
- (iii) processing plants;
- (iv) biogas plants;
- (v) composting plants;
- (vi) petfood plants.”.

44. In Part IV of Schedule 1 (measures applicable in respect of a wild bird control area)—

(a) for paragraph 1(2)(restriction on the movement of bird by-products or products derived from bird by-products from premises in a wild bird control area) substitute—

“(2) The Department may not grant or direct the grant of a licence under sub-paragraph (1) unless it is for a movement of—

- (a) processed animal protein within the meaning of paragraph 5 of Annex 1 to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 1 of Chapter II of Annex X to that Regulation;
- (b) blood products within the meaning of paragraph 4 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph B of Section 2 of Chapter II of Annex X to that Regulation;
- (c) rendered fats within the meaning of paragraph 8 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph B of Section 3 of Chapter II of Annex X to that Regulation;

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- (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
 - (e) hydrolysed protein within the meaning of paragraph 14 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
 - (f) dicalcium phosphate which complies with the requirements of paragraph B of Section 6 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (g) tricalcium phosphate which complies with the requirements of paragraph B of Section 7 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (h) collagen within the meaning of paragraph 11 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 8 of Chapter II of Annex X to that Regulation;
 - (i) egg products which comply with the requirements of paragraph B of Section 9 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (j) processed pet food within the meaning of paragraph 20 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of Chapter II of Annex XIII to that Regulation;
 - (k) raw petfood within the meaning of paragraph 21 of Annex I to Regulation (EU) No. 142/2011 and which complies with Chapter II of Annex XIII;
 - (l) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of Chapter II of Annex XIII to that Regulation;
 - (m) processed manure and processed manure products which comply with the requirements of Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011;
 - (n) game trophies having undergone a complete taxidermy treatment ensuring their preservation at ambient temperatures within the meaning of Chapter VI of Annex XIII to Regulation (EU) No. 142/2011;
 - (o) those by-products which are transported to designated plants within Article 13(1)(b), processing plants for disposal, treatment, transformation or use which ensures inactivation of the avian influenza virus;
 - (p) those products which are transported to users or collection centres authorised and registered in accordance with Article 23 of Regulation (EU) No. 142/2011 for the feeding of animals after they have been treated by a method approved by the Department which ensures inactivation of the avian influenza virus;
 - (q) untreated feathers or parts of untreated feathers produced from poultry within the meaning of paragraph 30 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph A of Chapter VII of Annex XIII to that Regulation;
 - (r) poultry feathers, feathers from wild game birds or parts of such feathers which have been treated with a steam current or by another method which ensures inactivation of the avian influenza virus.”;
- (b) in paragraph 1(3), for the words “ Annex V to Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009 and Annex IV to Regulation (EU) No. 142/2011”;
 - (c) in paragraph 1(5), for the words “Chapter X of Annex II to Regulation (EC) No. 1774/2002” substitute “Chapter III of Annex VIII to Regulation (EU) No. 142/2011”;

- (d) in Part V of Schedule 1 (other measures)—
- (i) in paragraph 1(a), (prohibition on movement of poultry manure) for “1774/2002” substitute “1069/2009 and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”;
 - (ii) in paragraph 2(a), (prohibition on the spread of poultry manure) for “1774/2002” substitute “1069/2009 and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”.

The Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2010

45. The Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2010(14) are amended as follows.

46. In regulation 2(1) (interpretation), insert before the definition of “slaughterhouse”—
- ““Regulation (EC) No. 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”.

47. In regulation 4(2), (exception for research) for the words “Regulation (EC) No 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

48. In paragraph 15(2)(b)(i) of Part I of Schedule 2 (TSE sampling of sheep, goats and deer), for the words “ the Animal By-Products Regulations 2003” substitute “Regulation (EC) No. 1069/2009”.

49. In Part II of Schedule 6 (feeding stuffs), in paragraph 11(2) (export of processed animal protein to third countries), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

SCHEDULE 3

Regulation 28

REVOCATIONS

1. The following instruments are revoked to the extent specified.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Regulations revoked</i>	<i>References</i>	<i>Extent of revocation</i>
The Animal By-Products (Identification) Regulations (Northern Ireland) 1999	S.R. 1999 No. 418	In Regulation 2(1), the definition of “the 2003 Regulations”
The Products of Animal Origin (Import and Export) Regulations 1998	S.R. 1998 No. 45	In regulation 2(1), the definition of “Directive 90/667” In paragraph 3 of Schedule 1, the entry in respect of

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Regulations revoked</i>	<i>References</i>	<i>Extent of revocation</i>
		“Council Directive 90/667/EEC ”
The Animal By-Products (Identification) Regulations (Northern Ireland) 2003	S.R. 2003 No. 504	Regulation 5(b)(ii)
The Animal By-Products Regulations (Northern Ireland) 2003	S.R. 2003 No. 495	The whole Regulations
The Waste Management (Northern Ireland) Regulations 2006	S.R. 2006 No. 280	Regulation 5(7)
The Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007	S.R. 2007 No. 199	In regulation 2(1), the definition of “ Regulation (EC) No 1774/2002 ” Regulations 29 to 33 In Part VII of Schedule 1, paragraphs 1, 5 and 6
The Avian Influenza (H5N1) (Miscellaneous Amendments) Order (Northern Ireland) 2008	S.R. 2008 No. 197	The whole Regulations
The Transmissible Spongiform Encephalopathies (Northern Ireland) Regulations 2010	S.R. 2010 No. 406	In regulation 2(1), the definition of “ Regulation (EC) No 1774/2002 ” In Schedule 1, paragraph (b) In Part I of Schedule 6, paragraphs 1(2), 2(5) and 3. In Part II of Schedule 6 paragraph 12.