
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Diseases of Fish (Control) Regulations 1994 (“the principal Regulations”) in implement of Council Directive [2000/27/EC](#) (O.J. No. L 114, 13.5.2000, p.28. (“the Directive”) amending Council Directive [93/53/EEC](#) (O.J. No. L 175, 19.7.1993, p.23.) introducing minimum Community measures for the control of certain fish diseases. The Directive amends Directive [93/53/EEC](#) to provide for a scheme to be established in respect of the withdrawal of fish confirmed as having a disease referred to in Annex A, list I to Directive [91/67/EEC](#) (O.J. No. L 46, 19.2.1991, p.1.) and for authorisation to be given for the vaccination of fish against such disease . (The only disease referred to in that list is infectious salmon anaemia (ISA)).

These Regulations—

- (a) allow fish on a farm which has been confirmed as having ISA to be withdrawn in accordance with the scheme (regulation 5);
- (b) allow the vaccination of fish against ISA if so authorised by the Minister (regulation 6);
- (c) make consequential amendments (regulations 4(a)(i) and (b), 7 and 8).

The provisions allowing fish on a farm which has been confirmed as having ISA to be withdrawn in accordance with the scheme apply from the date on which the scheme is approved by the Commission in accordance with procedure laid down in Article 19(2) of Directive [93/53/EC](#) (regulation 9).

These Regulations also amend the principal Regulations to take account of the coming into force of the Fish Health Regulations 1997, which revoked the Fish Health Regulations 1992, (regulation 3) and the transfer of functions in the principal Regulations to Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (regulation 4(a)(ii)).