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SCOTTISH STATUTORY INSTRUMENTS

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**2001 No. 415**

**The Import and Export Restrictions (Foot-and-Mouth Disease)  
(Scotland) (No. 2) Amendment (No. 5) Regulations 2001**

**Amendment to the Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland)  
(No. 2) Regulations 2001**

2.—(1) The Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 2) Regulations 2001(1) are amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2 for the definition of “the Decision”, there is substituted—

““the Decision” means Commission Decision [2001/740/EC](#) of 19th October 2001 (concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom and repealing Commission Decision [2001/356/EC](#))(2) as amended by Commission Decision [2001/763/EC](#)(3);”.

(3) In regulation 4(2)—

(a) in sub-paragraphs (b)(i) and (c)(i)(4)—

- (i) for “on the day of processing destined for dispatch”, there is substituted “at the time of processing meat destined for dispatch under these Regulations”; and
- (ii) for “the Schedule to these Regulations (“the Schedule”)", there is substituted “Schedule 2 to these Regulations (“Schedule 2”);

(b) for sub-paragraph (b)(ii), there is substituted—

“(ii) all the meat must bear the health mark in accordance with Chapter XI of Annex I to Council Directive [64/433/EEC](#) (on health problems affecting the production and marketing of meat products and certain other products of animal origin) as amended(5) or, in the case of meat from farmed game of species susceptible to foot-and-mouth disease, the health mark provided for in Chapter III of Annex I to Council Directive [91/495/EEC](#) (concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat) as amended(6) or in the case of wild game of species susceptible to foot-and-mouth disease, in accordance with the provisions of Annex I of Chapter VII of Council Directive [92/45/EC](#) as amended(7);”.

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(1) [S.S.I. 2001/186](#), as amended by [S.S.I. 2001/243](#), [271](#), [367](#) and [394](#).

(2) O.J. No. L 227, 20.10.01, p.30. Commission Decision [2001/356/EC](#) (O.J. No. L 125, 5.5.01, p.46), was amended by Commission Decision [2001/372/EC](#) (O.J. No. L 130, 12.5.01, p.47), Commission Decision [2001/415/EC](#) (O.J. No. L 149, 2.6.01, p.38), Commission Decision [2001/430/EC](#) (O.J. No. L 153, 8.6.01, p.33), Commission Decision [2001/437/EC](#) (O.J. No. L 154, 9.6.01, p.66), Commission Decision [2001/518/EC](#) (O.J. No. L 186, 7.7.01, p.58), Commission Decision [2001/547/EC](#) (O.J. No. L 195, 19.7.01, p.61), and Commission Decision [2001/708/EC](#) (O.J. No. L 261, 29.9.01, p.67).

(3) O.J. No. L 287, 31.10.01, p. 36.

(4) Sub-paragraphs (b)(i) and (c)(i) were substituted by [S.S.I. 2001/394](#)

(5) O.J. No. 121, 27.9.64, p.2012/64; Directive updated by Directive [91/497/EEC](#) (O.J. No. L 268, 24.9.91, p.69) as amended by Council Directive [92/5/EEC](#) (O.J. No. L 57, 2.3.92, p.1) and Directive [95/23/EC](#) (O.J. No. L 243, 11.10.95, p.7).

(6) O.J. No. L 268, 24.9.91, p.41 as amended by Council Directive [92/65/EEC](#) (O.J. No. L 268, 14.9.92, p.54), Council Directive [92/116/EEC](#) (O.J. No. L 62, 15.3.93, p.1) and Council Directive [1994/65/EC](#) (O.J. No. L 368, 31.12.94, p.10).

(7) O.J. No. L 268, 14.9.92, p.33, as amended by Council Directive [92/116/EC](#) (O.J. No. L 62, 15.3.93, p.1) and Council Directive [97/79/EC](#) (O.J. No. L 24, 30.1.98, p.31).

- (c) in sub-paragraph (d)(8) each time “the Schedule” appears, it is substituted by “Schedule 2”;
- (d) in sub-paragraph (d) for “porcine animals reared within one or more of the areas listed in the Schedule”, there is substituted “bovine, ovine, caprine or porcine animals or farmed game of species susceptible to foot-and-mouth disease”;
- (e) in sub-paragraph (d)(i) for “within an area in the same group of areas as those”, there is substituted “in the same area”;
- (f) in sub-paragraph (d)(iii) after “30 days prior to the date of loading”, there is inserted “or in the case of farmed game prior to on-farm slaughtering”;
- (g) in sub-paragraph (d)(iv) after the word “animals”, there is inserted “, or in the case of farmed game slaughtered on the farm, the carcasses”;
- (h) at the end of sub-paragraph (d)(xii), there is inserted “or in the case of farmed game the health mark provided for in Chapter III of Annex I of Council Directive [91/495/EEC](#)”;
- (i) in sub-paragraph (d)(xiv)(C) for “veterinary inspector”, there is substituted “official veterinary surgeon”;
- (j) after sub-paragraph (d)(xvi), there is inserted–
  - “(xvii) the meat must be obtained from animals reared within the areas specified for the respective category of meat in the appropriate column in Schedule 2;
- (e) fresh meat obtained from wild game of species susceptible to foot-and-mouth disease and conforming to the following conditions:–
  - (i) the meat must be obtained from wild game killed within the areas specified for the respective category of meat in the appropriate column in Schedule 2;
  - (ii) there has been no outbreak of foot-and-mouth disease in the same area listed in Schedule 2 during the period of 90 days prior to the date of dispatch;
  - (iii) the meat originates from animals killed at least 20 kilometres from any area not included in Schedule 2;
  - (iv) the carcasses were transported in a means of transport which had been cleansed and disinfected before loading directly to a wild game collection centre or to an approved processing house for chilling;
  - (v) the wild game collection centre or the approved processing house must be located in an area listed in Schedule 2;
  - (vi) during post-mortem inspection by the official veterinary surgeon the carcasses were found free of lesions of foot-and-mouth disease;
  - (vii) the meat derived from the animals remained in the establishment for at least 24 hours after the post-mortem inspection;
  - (viii) at all stages of production the meat must have been handled in accordance with the requirements of Council Directive [92/45/EEC](#);
  - (ix) the meat must bear the health mark in accordance with Chapter VII of Annex I to Council Directive [92/45/EEC](#);
  - (x) the establishment must be operated under strict veterinary control;
  - (xi) in the case where foot-and-mouth disease has been diagnosed in the slaughterhouse, any further preparation of meat for dispatch shall only be authorized–
    - (A) after the slaughter of all animals present;
    - (B) after removal of all meat and dead animals; and

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(8) Sub-paragraph (d) was inserted by [S.S.I 2001/394](#).

- (C) at least 24 hours after the completion of the effective cleansing and disinfection of the establishment under the control of an official veterinary surgeon;
- (xii) the fresh meat must be clearly identified, and transported and stored separately from meat which is not eligible for dispatch.”.
- (4) In regulation 5(3)(b) after “establishments”, there is inserted “which at the time of processing of meat eligible for dispatch complies with”.
- (5) In regulation 8(2), for sub-paragraph (c)(vii), there is substituted—
- “(vii) prior to dispatch the frozen semen was stored for a period of at least 30 days immediately following collection and during the first 30 days of that storage period no animal in the semen collection centre where the donor boar or bull was kept showed any sign of foot-and-mouth disease;”.
- (6) For the Schedule inserted by the Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 2) Amendment (No. 4) Regulations 2001(9) there is substituted the Schedule set out in the Schedule to these Regulations.