

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Bovine Products (Restriction on Placing on the Market) (Scotland) (No. 2) Regulations 2005*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

PROSPECTIVE

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re enact with certain changes the Bovine Products (Restriction on Placing on the Market) (Scotland) Regulations 2005 ([S.S.I. 2005/470](#)), which gave effect in relation to Scotland to Article 1.1 of Commission Decision [2005/598/EC](#) prohibiting the placing on the market of products derived from bovine animals born or reared within the United Kingdom before 1st August 1996 for any purpose and exempting such animals from certain control and eradication measures laid down in Regulation ([EC](#)) No. [999/2001](#) (O.J. No. L 204, 5.8.05, p.22).

The changes effected by these Regulations are necessary in the light of the coming into force of the Food Hygiene (Scotland) Regulations 2005 ([S.S.I. 2005/505](#)), which provide for the execution and enforcement in relation to Scotland of certain Community instruments relating to food hygiene. The revocation of the Bovine Products (Restriction on Placing on the Market) (Scotland) Regulations 2005 is effected by regulation 10 of these Regulations.

Article 1.1 of Commission Decision [2005/598/EC](#) provides that certain products derived from bovine animals born or reared within the United Kingdom before 1st August 1996 may not be placed on the market.

The prohibition contained in Article 1.1 of Commission Decision [2005/598/EC](#) is now given effect by regulation 3 of these Regulations.

These Regulations also—

- (a) apply with modifications certain provisions of the Food Safety Act 1990 ([1990 c. 16](#)) for the purposes thereof (regulation 5);
- (b) provide for the inspection and seizure of products that are suspected of having been placed on the market in contravention of regulation 3 (regulation 6);
- (c) create offences and penalties (regulation 7);
- (d) make provision for their enforcement including the appointment of authorised officers (regulations 4 and 8);
- (e) make a consequential amendment to the Animal By Products (Identification) Regulations 1995 ([S.I.1995/614](#)) in so far as they apply in relation to Scotland (regulation 9).

No regulatory impact assessment has been prepared in relation to these Regulations. A full regulatory impact assessment, which includes a compliance cost assessment of the effect that the implementation of Article 1.1 of Commission Decision [2005/598/EC](#) by the Bovine Products (Restriction on Placing on the Market) (Scotland) Regulations 2005 would have on business costs, was prepared and placed in the Scottish Parliament Information Centre. Copies may be obtained from the Food Standards Agency Scotland, 6th Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ.

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Changes and effects yet to be applied to :

- Sch. coming into force by [S.S.I. 2005/586 reg. 1\(1\)](#)
- schedule subst by [S.S.I. 2007/338 reg 2 schedule](#)
- Regulations revoked by [S.S.I. 2010/177 Sch. 10](#)
- reg. 1 coming into force by [S.S.I. 2005/586 reg. 1\(1\)](#)
- reg 2 am by [S.S.I. 2007/338 reg 2](#)
- reg. 2 coming into force by [S.S.I. 2005/586 reg. 1\(1\)](#)
- reg. 3 coming into force by [S.S.I. 2005/586 reg. 1\(1\)](#)
- reg. 4 coming into force by [S.S.I. 2005/586 reg. 1\(1\)](#)
- reg. 5 coming into force by [S.S.I. 2005/586 reg. 1\(1\)](#)
- reg. 6 coming into force by [S.S.I. 2005/586 reg. 1\(1\)](#)
- reg. 7 coming into force by [S.S.I. 2005/586 reg. 1\(1\)](#)
- reg. 8 coming into force by [S.S.I. 2005/586 reg. 1\(1\)](#)
- reg. 9 coming into force by [S.S.I. 2005/586 reg. 1\(1\)](#)
- reg. 10 coming into force by [S.S.I. 2005/586 reg. 1\(1\)](#)