

2006 No. 231

ANIMALS

ANIMAL HEALTH

The TSE (Scotland) Amendment (No. 2) Regulations 2006

<i>Made</i> - - - -	<i>2nd May 2006</i>
<i>Laid before the Scottish Parliament</i>	<i>2nd May 2006</i>
<i>Coming into force</i> - -	<i>3rd May 2006</i>

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) and of all other powers enabling them in that behalf after consultation as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(b), hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the TSE (Scotland) Amendment (No. 2) Regulations 2006 and shall come into force on 3rd May 2006.

Amendment of the TSE (Scotland) Regulations 2002

2. The TSE (Scotland) Regulations 2002(c) are amended in accordance with regulations 3 to 21.

3.—In regulation 3(1) (interpretation)—

(a) for the definition of “the Community Transitional Measures” substitute—

““the Community Transitional Measures” means—

- (a) Commission Regulation (EC) No. 1248/2001 of 22nd June 2001 amending Annexes III, X and XI to Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards epidemio-surveillance and testing of transmissible spongiform encephalopathies(d);
- (b) Commission Regulation (EC) No. 1326/2001 of 29th June 2001 laying down transitional measures to permit the changeover to the Regulation of the European Parliament and of the Council (EC) No. 999/2001 laying down rules

(a) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46), Schedule 8, paragraph 15(3). The functions conferred upon the Minister of the Crown under section 2(2) of the 1972 Act, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(b) O.J. No. L 31, 1.2.02, p.1 as amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (O.J. No. L 245, 29.9.03, p.4).

(c) S.S.I. 2002/255 as amended by S.S.I. 2003/198 and 411, 2004/277, 2005/173 and 469 and 2006/46.

(d) O.J. No. L 173, 27.6.01, p.12.

- for the prevention, control and eradication of certain transmissible spongiform encephalopathies, and amending Annexes VII and XI to that Regulation(a);
- (c) Commission Regulation (EC) No. 270/2002 of 14th February 2002 amending Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards specified risk material and epidemio-surveillance for transmissible spongiform encephalopathies and amending Regulation (EC) No. 1326/2001 as regards animal feeding and the placing on the market of ovine and caprine animals and products thereof(b);
 - (d) Commission Regulation (EC) No. 1494/2002 of 21st August 2002 amending Annexes III, VII and XI to Regulation (EC) No. 999/2001 of the European Parliament and the Council as regards monitoring of bovine spongiform encephalopathy, eradication of transmissible spongiform encephalopathy, removal of specified risk materials and rules for importation of live animals and products of animal origin(c);
 - (e) Commission Regulation (EC) No. 1139/2003 of 27th June 2003 amending Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards monitoring programmes and specified risk material(d);
 - (f) Commission Regulation (EC) No. 2245/2003 of 19th December 2003 amending Annex III to Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards monitoring of transmissible spongiform encephalopathies in ovine and caprine animals(e);
 - (g) Commission Regulation (EC) No. 1492/2004 of 23rd August 2004 amending Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards eradication measures for transmissible spongiform encephalopathies in bovine, ovine and caprine animals, the trade and importation of semen and embryos of ovine and caprine animals and specified risk material(f);
 - (h) Commission Regulation (EC) No. 36/2005 amending Annexes III and X to Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards epidemio-surveillance for transmissible spongiform encephalopathies in bovine, ovine and caprine animals(g);
 - (i) Regulation (EC) No. 932/2005 of the European Parliament and of the Council of 8th June 2005 amending Regulation (EC) No. 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies as regards the extension of the period for transitional measures(h);
 - (j) 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(i);
 - (k) Commission Regulation (EC) No. 253/2006 amending Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards rapid tests and measures for the eradication of TSEs in ovine and caprine animals(j); and

(a) O.J. No. L 177, 30.6.01, p.60.
(b) O.J. No. L 45, 15.2.02, p.4.
(c) O.J. No. L 225, 22.8.02, p.3.
(d) O.J. No. L160, 28.6.03, p.22.
(e) O.J. No. L 333, 20.12.03, p.28.
(f) O.J. No. L 274, 24.8.04, p.3.
(g) O.J. No. L 10, 13.1.05, p.9.
(h) O.J. No. L 163, 23.6.05, p.1.
(i) O.J. No. L 204, 5.8.2005, p.22.
(j) O.J. No. L 44, 15.2.06, p.9.

- (l) Commission Regulation (EC) No. 657/2006 amending Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards the United Kingdom and repealing Council Decision 98/256/EC and Decisions 98/351/EC and 1999/514/EC(a).”;
 - (b) in the definition of “occupier”, after “slaughterhouse,” insert “, butcher shop”; and
 - (c) in the definition of “specified risk material” omit item (i).
4. Omit regulation 10B.
5. After regulation 10A (slaughter of bovine animals over 30 months of age) insert–

“PART IIA

Placing on the market and export

Consignment of over age bovine animals for human consumption

10B.—(1) Subject to paragraph (2), no person shall consign to a slaughterhouse for human consumption a live or dead bovine animal born or reared in the United Kingdom before 1st August 1996.

(2) Paragraph (1) shall not prohibit a person from consigning a bovine animal to a slaughterhouse under the purchase scheme introduced under Commission Regulation (EC) No. 716/96(b) adopting exceptional support measures for the beef market in the United Kingdom, as amended by Commission Regulations (EC) No. 774/96(c), No. 1974/96(d), No. 2149/96(e), No. 1365/97(f), No. 667/2003(g) and No. 2109/2005(h).

Disposal of over age bovine animals consigned for human consumption

10C.—(1) Where a bovine animal is consigned to a slaughterhouse in contravention of regulation 10B an inspector may give to the occupier of the slaughterhouse a direction for–

- (a) the slaughter of that animal; and
- (b) the disposal of–
 - (i) the carcase of that animal; and
 - (ii) all other parts of the body of that animal, including the blood and the hide.

(2) Any direction given under this regulation shall be complied with at the expense of the person to whom the direction is given.

(3) If a person to whom a direction is given under this regulation fails to comply with the direction, an inspector may arrange for it to be complied with–

- (a) without prejudice to any proceedings arising out of such default; and
- (b) at the expense of the person to whom the direction was given.

(4) Where an inspector gives a direction under this regulation, the owner of the animal shall not be entitled to any compensation under these Regulations in respect of the animal or the carcase and the other parts of the body of the animal, including the blood and the hide.

(a) O.J. No. L 116, 29.4.06, p.9.
 (b) O.J. No. L 99, 20.4.96, p.14.
 (c) O.J. No. L 104, 27.4.96, p.21.
 (d) O.J. No. L 262, 16.10.96, p.2.
 (e) O.J. No. L 288, 9.11.96, p.14.
 (f) O.J. No. L 188, 17.7.97, p.6.
 (g) O.J. No. L 96, 12.4.03, p.13.
 (h) O.J. L 337, 22.12.05, p.25.

Slaughter of over age animals

10D. No occupier of a slaughterhouse shall, in that slaughterhouse, slaughter for human consumption a bovine animal born or reared in the United Kingdom before 1st August 1996.

Restrictions on dispatch to other member States or third countries

10E.—No person shall dispatch to another member State or third country—

- (a) a bovine animal born or reared in the United Kingdom before 1st August 1996;
- (b) meat or products derived from a bovine animal born or reared in the United Kingdom after 31st July 1996 and slaughtered before 15th June 2005; or
- (c) vertebral column from a bovine animal born or reared in the United Kingdom after 31st July 1996 and slaughtered before 2nd May 2006 or products derived from such vertebral column.”.

6. In regulation 32 (removal of specified risk material) for “33 to 37” substitute “33, 37 and 55A”.

7. In regulation 33(1) (removal of specified risk material from carcasses in slaughterhouses)—

- (a) in sub-paragraph (b) after “Community TSE Regulation” insert “and provide information in accordance with point 14(b) of that Part”;
- (b) for sub-paragraph (c) substitute—
 - “(c) where the carcase, or any part of the carcase is not labelled in accordance with paragraph (b), the carcase, or that part is consigned—
 - (i) in the case of an animal aged 30 months or less at slaughter, to a cutting premises or to a butcher shop authorised and registered in accordance with regulation 55A; or
 - (ii) in the case of an animal aged 30 months or more at slaughter, to a cutting premises licensed under regulation 55.”.

8. In regulation 36 (removal of vertebral column of bovine animals)—

- (a) for paragraph (1) substitute—
 - “(1) Where the carcase of a bovine animal containing vertebral column which—
 - (a) is not labelled in accordance with regulation 33(1)(b) is consigned—
 - (i) in the case of an animal aged 30 months or more at slaughter to a licensed cutting premises;
 - (ii) in the case of an animal aged 30 months or less at slaughter to a cutting premises or butcher shop; or
 - (b) is imported and transported in accordance with the Community TSE Regulations or the Community Transitional Measures and is consigned to a licensed cutting premises;

the occupier of that cutting premises or butcher shop, as the case may be, shall ensure that the vertebral column is removed from the rest of the carcase at the premises as soon as practicable after the arrival of the carcase there and before the carcase is presented for inspection pursuant to regulation 37(3) below.”; and

- (b) in paragraph (3) after “slaughterhouse” insert “, butcher shop”.

9. In regulation 37(3) (inspection of carcasses in slaughterhouses and cutting premises) after “slaughterhouse” insert “, butcher shop”.

10. In regulation 39 (staining of specified risk material)—

- (a) in paragraph (2) after “slaughterhouse” insert “, butcher shop”;

- (b) in paragraph (4) omit “except that, if the tongue is to be removed, this shall be done immediately after slaughter and the head shall be stained immediately after the removal of the tongue”; and
- (c) in paragraphs (7) and (8) after “licensed” insert “or authorised and registered”.

11. After regulation 49 (mechanically separated meat) insert–

“Tongue Harvesting

49A. No person shall contravene or fail to comply with point 6 of Part A of Annex XI to the Community TSE Regulation (tongue harvesting).

Head Meat Harvesting

49B. No person shall contravene or fail to comply with point 7 of Part A of Annex XI to the Community TSE Regulation (head meat harvesting).”.

12. In regulation 55(1)(b)(ii) (licensing of premises) for “regulation 36” substitute “regulation 36(1)(a)(i)”.

13. After regulation 55 (licensing of premises) insert–

“Butcher Shops

55A.—(1) Local authorities shall carry out the official inspections required by point 12 of Part A of Annex XI to the Community TSE Regulation in so far as it relates to the removal in butcher shops of those parts of the vertebral column of bovine animals that are specified risk material and shall grant authorisations and effect registration for the purposes of point 10(b) of that Part.

(2) A local authority shall authorise a butcher shop situated within its area to remove those parts of the vertebral column that are specified risk material from bovine animals aged 30 months or less at slaughter and register the shop for that purpose, if the authority is satisfied that the provisions of Part A of Annex XI to the Community TSE Regulations will be complied with.”.

14. In regulation 58 (requirements of use of licensed premises) after paragraph (3) insert–

“(4) This regulation shall apply to butcher shops authorised and registered in accordance with regulation 55A as it applies to premises licensed under this part of the Regulations.”.

15. After regulation 61 (appeals against/review in relation to suspension and revocation of licences) insert–

“Regulations 57, 59 and 60: application to authorisation and registration of butcher shops

61A.—(1) Regulations 57, 59 and 60 shall apply to the authorisation and registration of a butcher shop in accordance with regulation 55A as they apply to a licence.

(2) In that application, references to the Licensing Authority shall be read as references to the local authority in whose area the butcher shop is situated.

61B.—(1) Where in respect of any butcher shop the local authority has given notice of a decision under this Part of the Regulations–

- (a) to refuse to grant authorisation and registration;
- (b) to grant authorisation and registration subject to any conditions;
- (c) to suspend authorisation and registration; or
- (d) to revoke authorisation and registration,

the occupier may, within one month from the date of that notice, appeal against the decision to the sheriff.

(2) An appeal to the sheriff under paragraph (1) shall be by way of summary application.

(3) Where on appeal under this regulation the sheriff determines that the decision of the local authority is incorrect, the authority shall give effect to that determination.”.

16. In regulation 70(1)(m) (powers of inspectors) after “licence” in each place that it appears insert “or authorisation and registration”.

17. For regulation 92 (offspring slaughter) substitute—

“**92.** Schedule 7 to these Regulations shall have effect for the purpose of the enforcement of Article 13(1)(c) of and point 2 of Annex VII to the Community TSE Regulation.”.

18. In Schedule 6A, for paragraph 14 substitute—

“**14.**—(1) In accordance with paragraph 6 of Annex VII, the occupier of a holding may apply to the Scottish Ministers asking them to permit before 1st January 2007 the introduction of non-pregnant ewe lambs of unknown genotype as envisaged in that paragraph.

(2) In accordance with paragraph 9 of Annex VII, the occupier of a holding may apply to the Scottish Ministers in writing asking them to exercise one of the options permitted under that paragraph.

(3) An application under this paragraph shall be in writing and shall set out in full the reasons for the application.

(4) After they have considered an application under this paragraph, the Scottish Ministers shall serve a notice on the applicant giving their decision, which must either—

- (a) consent to the application; or
- (b) consent in part to the application; or
- (c) refuse the application.

(5) The Scottish Ministers shall not exercise the option permitted under paragraph 7(c) of Annex VII.”.

19. In Schedule 7 (offspring slaughter)—

(a) For sub-paragraph 1(1) substitute—

“(1) For the purposes of this Schedule—

“bovine animal” includes bison and buffalo (including water buffalo);

“cattle passport” has the same meaning as in the Cattle Identification Regulations 1998(a);

“market value” means the price that might reasonably have been obtained for an individual animal at the time of valuation from a purchaser in the open market if the animal were not an offspring animal; and

“offspring animal” means a bovine animal born within two years prior to, or after, clinical onset of BSE in its dam.”.

(b) For paragraph 4 substitute—

“**4.**—(1) Where the Scottish Ministers cause an offspring animal to be slaughtered under paragraph 3 they shall pay compensation in accordance with the provisions of this paragraph.

(2) A pedigree animal is one for which a pedigree certificate has been issued by a breeders’ organisation or association that fulfils the conditions of Council Decision 84/247/EEC laying down the criteria for the recognition of breeders’ organisations and

(a) S.I. 1998/871, as amended by S.S.I. 2001/445.

associations which maintain or establish herd-books for pure-bred breeding animals of the bovine species(a).

(3) Subject to sub-paragraphs (5) and (6), the compensation payable is the average price paid in Great Britain for that age and category of animal—

- (a) for a pedigree animal, in the previous six months; and
- (b) for any other bovine animal, in the previous month.

(4) The Scottish Ministers shall categorise animals as follows, and for the purposes of determining which category the animal falls into, the age of the animal is the age, as shown by its cattle passport, at the date on which the notice in Form OC2 was served.

Categories

<i>Male</i>	<i>Female</i>
Beef Sector – non-pedigree animal	
Up to and including 3 months	Up to and including 3 months
Over 3 months up to and including 6 months	Over 3 months up to and including 6 months
Over 6 months up to and including 9 months	Over 6 months up to and including 9 months
Over 9 months up to and including 12 months	Over 9 months up to and including 12 months
Over 12 months up to and including 16 months	Over 12 months up to and including 16 months
Over 16 months up to and including 20 months	Over 16 months up to and including 20 months
Over 20 months—	Over 20 months—
Breeding bulls	Calved
Other	Not calved
Dairy Sector – non-pedigree animal	
Up to and including 3 months	Up to and including 3 months
Over 3 months up to and including 6 months	Over 3 months up to and including 6 months
Over 6 months up to and including 12 months	Over 6 months up to and including 12 months
Over 12 months up to and including 16 months	Over 12 months up to and including 16 months
Over 16 months up to and including 20 months	Over 16 months up to and including 20 months
Over 20 months	Over 20 months—
	Calved
	Not calved
Beef Sector – pedigree animal	
6 months up to and including 12 months	6 months up to and including 12 months
Over 12 months up to and including 24 months	Over 12 months up to and including 24 months
Over 24 months	24 months (not calved)
	Calved under 36 months
	Calved 36 months and over

(a) O.J. No. L 125, 12.05.84, p.58.

<i>Male</i>	<i>Female</i>
Dairy Sector – pedigree animal	
Up to and including 2 months	Up to and including 2 months
Over 2 months up to and including 12 months	Over 2 months up to and including 10 months
Over 12 months up to and including 24 months	Over 10 months up to and including 18 months
Over 24 months	Over 18 months (not calved) Calved under 36 months Calved 36 months and over.

(5) Where the Scottish Ministers consider that the data to calculate the average price is inadequate, they may pay compensation at–

- (a) for animals in that category, the most recent previously calculated average price for which there was sufficient data to calculate the average price; or
- (b) for the individual animal, the market value.

(6) For buffalo or bison, compensation is the market value.

(7) The market value shall, for the purposes of payment of compensation under this Schedule be determined–

- (a) by agreement between the Scottish Ministers and the owner of the animal;
- (b) failing agreement by an arbiter appointed jointly by the Scottish Ministers and the owner of the animal; or
- (c) failing such agreement or appointment, by an arbiter appointed by the President of the Institute of Auctioneers and Appraisers in Scotland and the liability for the costs of the arbiter shall be determined by the arbiter.

(8) An arbiter appointed or nominated for the purpose of this paragraph shall give to the Scottish Ministers and the owner a certificate in writing of the value that arbiter has determined.

(9) Where an offspring animal is slaughtered as an offspring animal and was certified before slaughter by a veterinary surgeon as–

- (a) requiring slaughter for emergency reasons relating to the welfare of the animal;
- (b) not fit for human consumption by virtue of its condition; and
- (c) having no market value as a consequence,

no compensation shall be payable for the animal under this paragraph.

(10) Where an offspring animal is slaughtered as an offspring animal and was certified in form OC 4 before slaughter by a veterinary surgeon as–

- (a) requiring slaughter for emergency reasons relating to the welfare of the animal;
- (b) not unfit for human consumption by virtue of its condition,

compensation shall be payable for the animal in accordance with the compensation payable under paragraph (3) above for a beef animal of the age of the animal slaughtered.

(11) Where a notice in Form OC 1 has been served on an offspring animal and the animal is slaughtered under section 17 of the Animal Health Act 1981^(a) in its application to brucellosis or tuberculosis as an affected animal, an animal exposed to the infection of brucellosis or tuberculosis or an animal which is a reactor, within the meaning of the Brucellosis and Tuberculosis Compensation (Scotland) Order 1978^(b) and the notice in Form OC 1 has been withdrawn by the time of such slaughter or is withdrawn at that time, the compensation payable for the animal shall be ascertained in accordance with the Order concerned.

(a) 1981, c.27.

(b) S.S.I. 1978/1485, as amended by S.S.I. 1981/1448, 1996/1358 and 1998/2181.

(12) Where a notice in Form OC 1 has been served on an offspring animal and the animal is slaughtered under section 32 of the Animal Health Act 1981 in its application to the disease bovine spongiform encephalopathy as an animal affected or suspected of being affected with that disease, and the notice in Form OC 1 has been withdrawn by the time of such slaughter or is withdrawn at that time, the compensation payable for the animal shall be ascertained in accordance with the provisions of regulation 83 and Part III of Schedule 1 above.”.

(c) For paragraph 5 substitute—

“5. The following forms shall be used for the purposes of this Schedule—

Notice _____

of requirements relating to an offspring animal

Sub group reference:

Please use BLOCK LETTERS. Tick boxes where appropriate

1. To: (name)

of: (full postal address)

 Postcode:

2. Location of animal(s): (if different to 1.)

CPHH No.

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I, the undersigned, being an Inspector of the Department for Environment, Food and Rural Affairs/Scottish Executive Environment and Rural Affairs Department/National Assembly for Wales Agriculture Department*, hereby give you notice in accordance with the provisions of the *TSE Regulations 2006 (England)/TSE (Scotland) Regulations 2002/TSE (Wales) Regulations 2002 that, as the person appearing to me to be the owner/person in charge of the bovine animal(s) specified below, you are required to observe the requirements of this form as specified overleaf.

(*delete as necessary)

Signature

Name in BLOCK LETTERS

Date

Tel. No.

Office address

 Postcode:

The bovine animal(s) to which the completed and signed notice applies is/are specified below:

Official eartag number	Description of bovine animal(s)			Has passport been Confiscated? Yes / No
	Age	Breed	Sex	

Notice of requirements as respects the animal(s) specified overleaf

1. The animal must be detained at the location specified above. If the owner or person in charge of the animal intends to move the animal off the premises he/she must first obtain a licence from an officer of the *Secretary of State/Scottish Minister/National Assembly of Wales for the animal to be moved; and the movement of the animal off the premises must be in accordance with any condition subject to which the licence is issued.
2. In the event of the animal dying, otherwise than as a result of being slaughtered, a veterinary inspector must be immediately informed.
3. In the event of the animal dying or being slaughtered on the premises:
 - (a) the carcase of the animal must be retained and surrendered to a veterinary inspector on request;
 - (b) the carcase of the animal must be disposed of on the premises if so required by the veterinary inspector; and
 - (c) the carcase of the animal must not be moved off the premises except under the authority of a licence issued by a veterinary inspector of the *Secretary of State/Scottish Minister/ National Assembly of Wales and in accordance with any conditions subject to which the licence is issued.

Breach of the requirements of this notice may constitute an offence under the:

*TSE Regulations 2006 (England) /TSE (Scotland)
Regulations 2002/TSE (Wales) Regulations 2002;

and render a person liable to penalties on conviction.

*(Delete as necessary)

Notice _____

of intended slaughter of an offspring animal

Sub group reference:

Please use BLOCK LETTERS. Tick boxes where appropriate

2. To: (name)

of: (full postal address)

 Postcode:

2. Location of animal(s): (if different to 1.)

CPHH No.

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I, the undersigned, being a veterinary Inspector of the *Department for Environment, Food and Rural Affairs/Scottish Executive Environment and Rural Affairs Department/National Assembly for Wales, hereby give you notice in accordance with the provisions of the *TSE Regulations 2006 (England)/TSE (Scotland) Regulations 2002/TSE (Wales) Regulations 2002 that, as the person appearing to me to be the owner/person in charge of the bovine animal(s) specified below, the *Secretary of State/ Scottish Minister/National Assembly for Wales proposes to cause the animal(s) to be slaughtered at the premises specified above as an offspring animal under the *TSE Regulations 2006 (England)/TSE (Scotland) Regulations 2002/TSE (Wales) Regulations 2002.

(*delete as necessary)

Signature

Name in
BLOCK LETTERS

Date

Tel. No.

Office address

 Postcode:

The bovine animal(s) to which the completed and signed notice applies is/are specified below:

Official eartag number	Description of bovine animal(s)		
	Age	Breed	Sex

Breach of the requirements of this notice may constitute an offence under the *TSE Regulations 2006 (England)/TSE (Scotland) Regulations 2002/TSE Wales Regulations 2002 and render a person liable to a penalties on conviction.

* delete as necessary

Withdrawal of Notice

relating to an offspring animal

Sub group reference:

3. To: (name)

of: (full postal address)

 Postcode:

2. Location of animal(s) or carcase(s) (if different to 1.)

CPHH No.

I, the undersigned, being a veterinary Inspector of the *Department for Environment, Food and Rural Affairs/Scottish Executive Environment and Rural Affairs Department/National Assembly for Wales, hereby withdraw

as from this day of the notice relating to the bovine

animal(s) specified below, signed by and

served on you on day of

Signature

Office address

Name in BLOCK LETTERS

Date Tel. No.

The bovine animal(s) to which the completed and signed notice applies is/are specified below:

Official eartag number	OC eartag number	Description of bovine animals		
		Age	Breed	Sex

Veterinary Emergency Slaughter Certificate

Certificate that an animal subject to emergency slaughter is not unfit for human consumption

(The *TSE Regulations 2006 (England) / The TSE (Scotland) Regulations 2002 / The TSE (Wales) Regulations 2002
 (*Delete as necessary))

1. To: (name)

of: (full postal address)

 Postcode

Telephone No.

Reason for slaughter:

Animal details

Eartag	Sex	Breed	Age	Other identifiers

After carrying out ante mortem inspection, it is my opinion that the animal from which this body was derived was not showing clinical signs of:

- any disease or condition that may be transmitted to humans through handling or eating meat; or
- systemic disease or emaciation.

There is no evidence that any substances have been administered to the animal that might lead to a residue being present in the meat which might render meat from the animal unfit for human consumption or that the animal consumed any substance that might render meat from the animal unfit for human consumption.

Note: the hygiene regulations permit the emergency slaughter of animals outside the slaughterhouse if they fulfil the condition:

- an otherwise healthy animal must have suffered an accident that prevented its transportation to the slaughterhouse for welfare reasons

Signature of Veterinary surgeon

Office address

Name in BLOCK LETTERS

Date

Time

Telephone No.

(d) Omit paragraphs 6 and 7.

Amendments to the Animal and Animal Products (Import and Export) (Scotland) Regulations 2000

20. In paragraph 1 of Schedule 3 to the Animal and Animal Products (Import and Export) (Scotland) Regulations 2000^(a) omit sub-paragraphs (d) and (e).

Revocations

21. The enactments specified in the first column of the Schedule to these Regulations shall be revoked to the extent specified in the corresponding entry in the third column of that Schedule.

St Andrew's House,
Edinburgh
2nd May 2006

RHONA BRANKIN
Authorised to sign by the Scottish Ministers

^(a) S.S.I. 2000/216, as amended by S.S.I. 2000/300, 2002/125 and 196 and 2005/323 and 645.

SCHEDULE

Regulation 21

Revocations

<i>Column 1- Enactment</i>	<i>Column 2 –References</i>	<i>Column 3 - extent</i>
The Bovines and Bovine Products (Trade) Regulations 1999	S.I. 1999/1103	The whole instrument in so far as it extends to Scotland
The Bovines and Bovine Products (Trade) (Amendment) Regulations 1999	S.I. 1999/1554	The whole instrument in so far as it extends to Scotland
The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000	S.S.I. 2000/62	Regulation 10(4) and Part IV of Schedule 8
The Bovines and Bovine Products (Trade) Amendment (Scotland) Regulations 2000	S.S.I. 2000/184	The whole instrument
The Bovines and Bovine Products (Trade) Amendment (Scotland) Regulations 2002	S.S.I. 2002/449	The whole instrument
The Food Hygiene (Scotland) Regulations 2006	S.S.I. 2006/3	Paragraphs 30 to 34 of Schedule 7
The Production of Bovine Collagen Intended for Human Consumption in the United Kingdom (Scotland) Regulations 2005	S.S.I. 2005/218	The whole instrument

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the TSE (Scotland) Regulations 2002 (S.I. 2002/255) (“the principal Regulations”) which give effect in Scotland to the enforcement and administration of Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (O.J. No. L 147, 31.5.01, p.1) (“the Community TSE Regulation”).

They bring up to date the definition of “Community Transitional Measures” in regulation 3 of the principal Regulations (regulation 3).

They insert a new Part IIA into the principal Regulations introducing a power to slaughter, without payment of compensation, animals born before 1st August 1996 which are sent to slaughterhouses for human consumption in breach of the prohibition on such consignment. They make it an offence to slaughter animals born before 1st August 1996 for human consumption. They prohibit the dispatch to other member States or third countries of bovine animals born or reared in the United Kingdom before 1st August 1996, meat or products derived from animals born or reared in the United Kingdom after 31st July 1996 and slaughtered before 10th June 2005 and vertebral column from bovine animals born or reared after 31st July 1996 and slaughtered before 3rd May 2006 or products derived from such vertebral column (regulation 5).

They make amendments to Part IV of the principal Regulations dealing with the removal of specified risk material in slaughterhouses (regulation 7) and cutting premises (regulation 8).

They make consequential amendments, following the amendments made to the definition of specified risk material in the Community TSE Regulation (regulations 3 and 10). They create a new offence associated with head meat harvesting (regulation 11).

They introduce new provisions allowing local authorities to authorise and register butcher shops for the purpose of removing vertebral column that is specified risk material (regulation 13). They make provision allowing occupiers of butcher shops to appeal decisions taken in connection with such authorisation and registration (regulation 15).

They update the reference to the Community TSE Regulation in regulation 92 of the principal Regulations (regulation 17).

They insert a new provision in Schedule 6A to the principal Regulations with a derogation relaxing the restrictions on the type of sheep which can be introduced onto holdings where TSE eradication measures have been applied (regulation 18).

They amend Schedule 7 of the principal Regulations to introduce a new compensation scheme for slaughtered offspring animals (regulation 19).

They make a consequential amendment to the Animal and Animal Products (Import and Export) (Scotland) Regulations 2000 (regulation 20).

They revoke the enactments listed in the Schedule (regulation 21).

A Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies may be obtained from the Scottish Executive Environment and Rural Affairs Department, Pentland House, 47 Robb’s Loan, Edinburgh EH14 1TY and from the Food Standards Agency, 6th Floor, St Magnus House, 25 Guild Street, Aberdeen AB11 6NJ.

2006 No. 231

ANIMALS

ANIMAL HEALTH

The TSE (Scotland) Amendment (No. 2) Regulations 2006

£3.50

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