

*This Statutory Instrument has been made in consequence of a defect in S.I. 2006/3247 & 3249 and is being issued free of charge to all known recipients of those Statutory Instruments.*

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STATUTORY INSTRUMENTS

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**2007 No. 3303**

**ANIMALS, ENGLAND**

**ANIMAL HEALTH**

**The Avian Influenza (H5N1)  
(Miscellaneous Amendments) Order 2007**

Made - - - - 22nd November  
2007  
Coming into force - - 23rd November 2007

The Secretary of State makes the following Order in exercise of the powers conferred by section 8 of the Animal Health Act 1981(1) and now vested in the Secretary of State(2).

**Citation and commencement**

1. This Order—
  - (a) may be cited as the Avian Influenza (H5N1) (Miscellaneous Amendments) Order 2007; and
  - (b) comes into force on 23rd November 2007.

**Amendment**

2.—(1) After article 14(2)(j) of the Avian Influenza (H5N1 in Poultry) (England) Order 2006(3) insert—

“(ja) raw petfood, within the meaning of paragraph 48 of Annex I to Regulation (EC) No. 1774/2002, which complies with the requirements in Part B of Chapter II of Annex VIII to that Regulation;”.

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(1) 1981 c. 22.  
(2) Functions conferred under the 1981 Act on “the Ministers” are now exercisable by the Secretary of State. Functions of “the Ministers” were transferred, so far as exercisable by the Secretaries of State for Scotland and Wales, to the Minister of Agriculture, Fisheries and Food by the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141). Functions of the Minister of Agriculture, Fisheries and Food were then further transferred to the Secretary of State by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).  
(3) S.I. 2006/3247.

(2) After paragraph 13(2)(j) of Schedule 1 to the Avian Influenza (H5N1 in Wild Birds) Order 2006(4) insert—

“(ja) raw petfood, within the meaning of paragraph 48 of Annex I to Regulation (EC) No. 1774/2002, which complies with the requirements in Part B of Chapter II of Annex VIII to that Regulation;”.

*Jonathan Shaw*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

22nd November 2007

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Avian Influenza (H5N1 in Poultry) (England) Order 2006 ([S.I. 2006/3247](#)) and the Avian Influenza (H5N1 in Wild Birds) (England) Order 2006 ([S.I. 2006/3249](#)) to add raw petfood to the lists of by-products which can be moved under the authority of a licence issued by a veterinary inspector under each Order.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.