

2008 No. 2270

ANIMALS, ENGLAND

ANIMAL HEALTH

**The Zoonoses and Animal By-Products (Fees) (England)
Regulations 2008**

<i>Made</i> - - - -	<i>22nd August 2008</i>
<i>Laid before Parliament</i>	<i>29th August 2008</i>
<i>Coming into force</i> - -	<i>1st October 2008</i>

The Secretary of State, in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973^(a) and with the consent of the Treasury, makes the following Regulations.

Title, application and commencement

1.—(1) These Regulations may be cited as the Zoonoses and Animal By-Products (Fees) (England) Regulations 2008.

(2) These Regulations apply in England only.

(3) These Regulations come into force on 1st October 2008.

Interpretation

2. In these Regulations—

“the 2005 Regulations” means the Animal By-Products Regulations 2005^(b);

“the European Regulation” means Regulation (EC) No 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents^(c);

“official control samples” means samples taken by the Secretary of State under point 2.1.2.2 of the Annex to Commission Regulation (EC) No 1003/2005 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of *Gallus gallus* and amending Regulation (EC) No 2160/2003^(d) or point 2.1 of the Annex to Commission Regulation (EC) No 1168/2006 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in laying flocks of *Gallus gallus* and amending Regulation (EC) No 1003/2005^(e);

(a) 1973 c.51.

(b) S.I. 2005/2347.

(c) OJ No. L325, 12.12.2003, p 1, as last amended by Council Regulation (EC) No.1237/2007 (OJ No. L 280, 24.10.2007, p. 5).

(d) OJ No. L 170, 1.7.2005, p 12, amended by Commission Regulation (EC) No. 1168/2006 (OJ No. L 211, 1.8.2006, p. 4).

(e) OJ No. L 211, 1.8.2006, p 4.

“the relevant person” means the person in charge of a holding where official control samples are taken or the operator of the laboratory in the case of the other activities specified in the Schedule.

Fees

3.—(1) The relevant person must pay to the Secretary of State the fee prescribed in the Schedule.

(2) The fee in paragraph (1) must be paid to the Secretary of State within 14 days of demand by the Secretary of State.

Revocation

4. The Zoonoses and Animal By-Products (Fees) (England) Regulations 2007 are revoked^(a).

30th July 2008

Jeff Rooker
Minister of State
Department for Environment, Food and Rural Affairs

We consent
22nd August 2008

Dave Watts
Steve McCabe
Two of the Lords Commissioners of Her Majesty's Treasury

SCHEDULE

Regulation 3

<i>Activity</i>	<i>Fee (£)</i>
Taking or supervising the taking of official control samples	45 plus 25 per ½ hour (or part thereof)
Examination of official control samples	15
Processing of an application for approval of a laboratory under Regulation 21 of the 2005 Regulations or Article 12 of the European Regulation	13
Processing of annual registration documentation in respect of a laboratory approved under Regulation 21 of the 2005 Regulations or Article 12 of the European Regulation	31
Inspecting a laboratory for the purpose of Regulation 21 of the 2005 Regulations or	

(a) S.I. 2007/2074.

Article 12 of the European Regulation for—

(a) one test	631
(b) two tests	650.5
(c) three tests	670
(d) four tests	689.5

Administering a quality control test under
Regulation 21 of the 2005 Regulations or
Article 12 of the European Regulation for—

(a) <i>Salmonella</i>	37
(b) <i>Enterobacteriaceae</i>	67
(c) <i>Clostridium perfringens</i>	67

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in England, revoke the Zoonoses and Animal By-Products (Fees) (England) Regulations 2007.

They make provision for the Secretary of State to charge fees for activities required under Commission Regulation (EC) No 1003/2005, Commission Regulation (EC) No 1168/2006, Regulation (EC) No 2160/2003 and the Animal By-Products Regulations 2005. The activities and the fees are listed in the table of fees in the Schedule.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector has been produced and placed in the library of each House of Parliament. Copies may be obtained from the Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London, SW1P 3JR.

£3.00

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