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## EXPLANATORY NOTE

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

These Regulations transpose in England Articles 3 and 4 of Council Directive [2002/99/EC](#) laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption (OJ No L 18, 23.1.2003, p 11).

These Articles are also transposed by the Diseases of Poultry (England) Order 2003 ([S.I. 2003/1078](#)), the Foot-and-Mouth Disease (England) Order 2006 ([S.I. 2006/182](#)) and the Avian Influenza and Influenza of Avian Origin in Mammals (England) (No 2) Order 2006 ([S.I. 2006/2702](#)).

Other Articles of the Council Directive and other EC measures supplementing them are transposed by—

- (a) the Official Feed and Food Controls (England) Regulations 2006 ([S.I. 2006/15](#));
- (b) the Official Controls (Animals, Feed and Food) (England) Regulations 2006 ([S.I. 2006/3472](#));
- (c) the Animals and Animal Products (England) Regulations 2006 ([S.I. 2006/1471](#));
- (d) the Products of Animal Origin (Import and Export) Regulations 1996 ([S.I. 1996/3124](#));
- (e) the Products of Animal Origin (Third Country Imports) (England) Regulations 2006 ([S.I. 2006/2841](#)); and
- (f) the Food Hygiene (England) Regulations 2006 ([S.I. 2006/14](#)).

These Regulations also transpose, insofar as they apply to Newcastle disease, the Commission Decision [2007/118/EC](#) establishing an alternative health mark pursuant to Directive [2002/99/EC](#) (OJ No L 51, 20.2.2007, p 19).

These Regulations create obligations in respect of animals or poultry from premises where classical swine fever, African swine fever, swine vesicular disease, rinderpest, sheep and goat plague or Newcastle disease is suspected or confirmed, and the infected area and/or protection zone and surveillance zone that is/are put in place on confirmation of one of these diseases. They also create obligations and prohibitions in respect of the meat from these animals and this poultry.

Regulation 7 requires the detention of meat from suspect premises and the destruction of meat from infected premises. Regulation 8 requires tracing of meat from infected premises. Regulation 9 prohibits the supply or export of “restricted meat”, being untreated meat from susceptible animals from restricted areas, unless the meat is from poultry from a Newcastle disease restricted area. In that case, the meat can be traded on the domestic market provided certain requirements are satisfied.

Regulation 10 requires slaughterhouses dealing with restricted animals or poultry and meat from those animals or that poultry to be designated and requires separation of those animals or that poultry. Detention of meat is required if disease is suspected or confirmed at the slaughterhouse. Regulation 11 requires game handling establishments dealing with restricted meat to be designated.

Regulation 12 requires premises and establishments to be designated before receipt of restricted meat and requires restricted meat at those places to be kept separate from other meat.

Regulation 13 relates to the marking of meat subject to restrictions. The health mark referred to in paragraph 1(a) of Schedule 3 is an oval mark when applied under EC Regulation 854/2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption (OJ No L 155, 30.4.2004, p 206) and a square mark (poultry) or pentagonal mark (wild game) under [Commission Regulation \(EC\) No 2076/2005](#) laying down transitional

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**Changes to legislation:** There are currently no known outstanding effects for the The Products of Animal Origin (Disease Control) (England) Regulations 2008. (See end of Document for details)

arrangements for the implementation of Regulation (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ No L 338, 22.12.2005, p 83). The application of the health mark is supervised by an officer of the MHS. The identification marks referred to in paragraph 3 of Schedule 3 are the national mark, again this is square for poultry and pentagonal for wild game, and the alternative identification mark, which is the shape of a beer mat and depicted in the Annex to Commission Decision 2007/118/EC.

Regulation 14 applies to the movement of restricted meat and regulation 15 to record keeping in respect of such meat.

Regulation 16 enables the Secretary of State to impose requirements in respect of milk and milk products to minimise the risk of the spread of disease.

Regulations 17 to 24 relate to enforcement.

Schedule 1 sets out the legislation under which zones and areas are declared in respect of the diseases to which these Regulations relate. Schedule 2 sets out the treatments which must be applied to restricted meat. Schedule 3 sets out the meat marking requirements for restricted meat.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector has been placed in the library of each House of Parliament. Copies may be obtained from the Department for Environment, Food and Rural Affairs, 1A Page Street, London SW1P 4PQ.

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