
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Products of Animal Origin (Disease Control) (England) Regulations 2008 (S.I.2008 No. 465) ('the 2008 Regulations') to implement requirements in section 4(d) of Annex II of Council Directive 92/119/EEC in respect of any meat from pigs with antibodies against swine vesicular disease (referred to as "seropositive pigs" and defined in regulation 3(c)) in which disease has not been confirmed but which the Secretary of State has required to be slaughtered.

Such seropositive pigs may only be slaughtered in a designated slaughterhouse and they must, whilst there, be kept separate from other pigs (regulation 7(b)). The meat from the seropositive pigs cannot be exported (regulation 6(a)). This is ensured by marking and record keeping requirements in respect of the seropositive pig meat (regulations 9 and 11 (a) to (e) respectively). These Regulations provide for a new circular mark for placing on seropositive pig meat in an amendment to Schedule 3 (regulation 12).

There are amendments made to regulations 9, 12, 14 and 15 of the 2008 Regulations to remove requirements in respect of restricted meat from restricted poultry intended for supply only on the domestic market (as defined in regulation 3(a)) to—

- (a) remove the requirement on a supplier of such poultry meat to know how others in the supply chain have handled the meat without committing an offence (regulation 6(b));
- (b) remove offences of receiving such poultry meat at an undesignated place (regulation 8(b));
- (c) remove offences of transporting restricted poultry meat to an undesignated place (regulation 10); and
- (d) exclude wholesale and retail distributors, retailers and consumers from record keeping requirements (regulation 11(f)).

The definition of "relevant date" has been removed from regulation 2 of the 2008 Regulations as this definition now only applies in regulation 7 of the 2008 Regulations. Therefore, regulation 5 introduces a revised definition of "relevant date" at regulation 7(4) that addresses an earlier ambiguity caused by the use of the term. The definition of "restricted meat" in regulation 3(8) of the 2008 Regulations has been substituted by a revised definition introduced by regulation 4 of these Regulations.

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

Changes to legislation:

There are currently no known outstanding effects for the The Products of Animal Origin (Disease Control) (England) (Amendment) Regulations 2009.