
STATUTORY INSTRUMENTS

2009 No. 3083

ANIMALS, ENGLAND

ANIMAL HEALTH

The Specified Animal Pathogens (Amendment) Order 2009

Made - - - - *24th November 2009*

Coming into force - - *21st December 2009*

The Secretary of State makes this Order in exercise of the powers conferred by sections 1, 7, 87(2) and (5)(a) and 88(2) and (4)(a) of the Animal Health Act 1981⁽¹⁾.

Title, application and extent

1. This Order may be cited as the Specified Animal Pathogens (Amendment) Order 2009, applies in England, and comes into force on 21st December 2009.

Amendment to the Specified Animal Pathogen Order

2. The Specified Animal Pathogens Order 2008⁽²⁾ is amended as set out in this Order.

3. In Part 1 of Schedule 1 (specified animal pathogens) after 34 (Peste des petits ruminants virus) insert—

“**34A.** Porcine Reproductive and Respiratory Syndrome virus genotype 2”.

4. In paragraph 2 of Schedule 2 (seizure of pathogens) after sub-paragraph (2) insert—

“(3) Sub-paragraphs (1) and (2) do not apply in the case of the pathogen known as Porcine Reproductive and Respiratory Syndrome virus genotype 2.”.

(1) 1981 c. 22. Powers to make Orders under these sections were originally conferred on “the Ministers” by section 86 of the Act. These powers 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).

(2) S.I. 2008/944.

24th November 2009

Jim Fitzpatrick
Minister of State
Department for Environment, Food and Rural
Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Specified Animal Pathogens Order 2008 ([S.I. 2008/944](#)) to add a further pathogen (Porcine Reproductive and Respiratory Syndrome virus genotype 2) to the Part 1 list in Schedule 1. The power to seize this specified pathogen will not apply as the resulting disease is not one that is covered by a slaughter requirement under the Animal Health Act 1981.

This Order has been notified in draft to the European Commission in accordance with Directive [98/34/EC](#) (provision of information in the field of technical standards), as amended by Directive [98/48/EC](#).

A full impact assessment has been prepared and placed in the libraries of both Houses of Parliament. It is available on the Defra website at www.defra.gov.uk.