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## EXPLANATORY NOTE

*(This note does not form part of the Regulations)*

These Regulations make provision for the purpose of dealing in Wales with the obligations—

- (a) in article 1.2 of Commission Decision [2000/764/EC](#) (OJNo. L 305, 6.12.2000, p.35) on the testing of bovine animals for the presence of bovine spongiform encephalopathy and amending Decision [98/272/EC](#) (OJ No. L122, 24.4.1998, p.59) on epidemio-surveillance for transmissible encephalopathies; and
- (b) Commission Decision [2001/233/EC](#) (OJ No. L 84, 23.3. 2001, p.59) amending Decision [2000/418/EC](#) as regards mechanically recovered meat and bovine vertebral column.

These require member States to ensure that certain categories of bovine animals over 30 months of age are examined in accordance with prescribed minimum requirements for monitoring BSE.

To enable these obligations to be implemented the Regulations require the person in possession or in charge of a notifiable bovine animal, defined in regulation 2 as a bovine animal aged over 30 months of age which dies on any farm or in transport or which has been killed otherwise than for human consumption, to notify the death to the agent appointed for this purpose by the National Assembly for Wales. The Regulations provide powers of entry, examination and search, offences and penalties and enforcement.

Related amendments for the purpose of dealing with these Community obligations are made to article 11 of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 in so far as it applies to Wales (S.I. [1996/3183](#), amended by S.I. [1997/2387](#), S.I. [1998/3071](#) and S.I. [1999/921](#)) and regulations 2 and 26 of the Cattle Identification Regulations 1998 (S.I. [1998/871](#), amended by S.I. [1998/2969](#) and S.I. [1999/1339](#)) and regulations 2 and 9 of Cattle (Identification of Older Animals) (Wales) Regulations (S.I. [2000/3339 \(W.217\)](#)).

A regulatory appraisal has not been prepared for these Regulations.