



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2001 Rhif 2732 (Cy.231)

2001 No. 2732 (W.231)

BWYD, CYMRU

FOOD, WALES

ANIFEILIAID, CYMRU

ANIMALS, WALES

**Rheoliadau Deunydd Risg
Penodedig (Diwygio) (Cymru)
2001**

**The Specified Risk Material
(Amendment) (Wales) Regulations
2001**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note does not form part of the Regulations)

1. Mae'r Rheoliadau hyn, sy'n gymwys i Gymru yn unig, yn gwneud diwygiadau pellach i Reoliadau Deunydd Risg Penodedig 1997 (OS 1997/2965, fel y'u diwygiwyd eisoes) ac i Orchymyn Deunydd Risg Penodedig 1997 (OS 1997/2964, fel y'i diwygiwyd eisoes). Mae Rheoliadau Deunydd Risg Penodedig 1997 ("y prif Reoliadau") yn gymwys i Brydain Fawr gyfan.

1. These Regulations, which apply to Wales only, make further amendments both to the Specified Risk Material Regulations 1997 (SI 1997/2965, as already amended) and to the Specified Risk Material Order 1997 (SI 1997/2964, as already amended). The Specified Risk Material Regulations 1997 ("the principal Regulations") apply to Great Britain as a whole.

Diwygiadau i Reoliadau Deunydd Risg Penodedig 1997

Amendments to the Specified Risk Material Regulations 1997

2. Mae'r Rheoliadau hyn yn adlewyrchu yng Nghymru ddarpariaethau Atodiad XI i Reoliad (EC) Rhif 999/2001 o Senedd Ewrop a'r Cyngor sy'n gosod rheolau ar gyfer atal, rheoli a chael gwared ar rai enseffalopathïau sbyngffurf trosglwyddadwy (OJ Rhif L147, 31.5.2001, t.1). Mae'r Atodiad hwnnw yn gosod mesurau trosiannol mewn perthynas â thynnu deunydd risg penodedig ac fe'i mewnosodwyd yn Rheoliad (EC) Rhif 999/2001 gan Erthygl 3 o Reoliad y Comisiwn (EC) Rhif 1326/2001 (OJ Rhif L177, 30.6.2001, t.60).

2. These Regulations reflect in Wales the provisions of Annex XI to Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ No. L147, 31.5.2001, p.1). That Annex imposes transitional measures with regard to the removal of specified risk material and was inserted into Regulation (EC) No. 999/2001 by Article 3 of Commission Regulation (EC) No. 1326/2001 (OJ No. L177, 30.6.2001, p.60).

3. Mae'r diwygiadau sylweddol sy'n cael eu gwneud gan y Rheoliadau hyn i'r prif Reoliadau fel a ganlyn:-

3. The substantive amendments made by these Regulations to the principal Regulations are as follows:-

(a) yng ngoleuni'r mesurau trosiannol y cyfeirir atynt uchod

(a) in the light of the transitional measures referred to above

- (i) mae rheoliad 3 o'r prif Reoliadau (sy'n diffinio "specified sheep and goat material") yn cael ei ddiwygio i hepgor o'r diffiniad ddeunydd sy'n deillio o ddefaid a geifr a anwyd, a fagwyd yn barhaus ac a gigyddwyd mewn rhai trydydd gwledydd (rheoliad 2(4) a (5));
 - (ii) mae rheoliad 4 o'r prif Reoliadau (sy'n diffinio "specified bovine material") yn cael ei ddiwygio'n sylweddol fel bod, yn benodol, deunydd sy'n deillio o anifeiliaid buchol a anwyd, a fagwyd yn barhaus ac a gigyddwyd mewn rhai trydydd gwledydd bellach y tu allan i gwmpas y diffiniad (rheoliad 2(6) i (8));
 - (iii) mae rheoliad 8 o'r prif Reoliadau (gwaharddiad sy'n gymwys i asgwrn cefn anifeiliaid sy'n cnoi cil) yn cael ei ddisodli gan ddarpariaeth sy'n gwahardd defnyddio esgryn buchod, defaid a geifr wrth gynhyrchu cig sy'n cael ei adfer yn fecanyddol (rheoliad 2(10)) ac mae rheoliad 9 (cofrestru safleoedd lle mae cig yn cael ei adfer drwy gyfrwng mecanyddol o anifeiliaid sy'n cnoi cil) yn cael ei ddiddymu (rheoliad 2(11));
 - (iv) mae rheoliad newydd, 15A, sy'n ymdrin â dull trin carcasau a fewnforir sy'n cynnwys esgryn cefn sy'n ddeunydd buchol penodedig, yn cael ei fewnosod yn y prif Reoliadau (rheoliad 2(12)); a
- (b) gyda golwg ar y diwygiad a wnaed i reoliad 26 o'r prif Reoliadau gan Ddeddf Safonau Bwyd 1999 (Darpariaethau Trosiannol a Chanlyniadol ac Eithriadau) (Cymru a Lloegr) 2000 (OS 2000/656), mae'r rheoliad hwnnw'n cael ei ddiwygio ymhellach i alluogi'r Asiantaeth Safonau Bwyd neu Gynulliad Cenedlaethol Cymru i roi cyfarwyddiadau ynghylch gwaredu deunydd risg penodedig (rheoliad 2(13) a (14)).

4. Mae'r Rheoliadau hyn hefyd yn gwneud diwygiadau canlyniadol i'r prif Reoliadau yng ngoleuni rhai o'r diwygiadau sylweddol y cyfeirir atynt uchod a deddfu Deddf Safonau Bwyd 1999 (1999 p.28) (rheoliad 2(2), (3) a (9)).

Diwygiadau i Orchymyn Deunydd Risg Penodedig 1997

5. Mae'r Rheoliadau hyn yn gwneud diwygiadau pellach i Orchymyn Deunydd Risg Penodedig 1997 (OS 1997/2964, fel y'i diwygiwyd eisoes) i'r graddau y mae'n gymwys i Gymru. Mae Gorchymyn Deunydd Risg Penodedig 1997 ("y prif Orchymyn") yn gymwys i Brydain Fawr gyfan.

6. Mae'r diwygiadau sy'n cael eu gwneud gan y Rheoliadau hyn i'r prif Orchymyn yn adlewyrchu darpariaethau Atodiad XI i Reoliad (EC) Rhif

4. These Regulations also make consequential amendments to the principal Regulations in the light of certain of the substantive amendments referred to above and the enactment of the Food Standards Act 1999 (1999 c.28) (regulation 2(2), (3) and (9)).

Amendments to the Specified Risk Material Order 1997

5. These Regulations make further amendments to the Specified Risk Material Order 1997 (SI 1997/2964, as already amended) in so far as it applies to Wales. The Specified Risk Material Order 1997 ("the principal Order") extends to Great Britain as a whole.

6. The amendments made by these Regulations to the principal Order reflect the provisions of Annex XI to Regulation (EC) No. 999/2001 of the European

999/2001 Senedd Ewrop a'r Cyngor sy'n gosod rheolau ar gyfer atal, rheoli a chael gwared ar rai enseffalopathïau sbyngffurf trosglwyddadwy (OJ Rhif L147, 31.5.2001, t.1). Gosododd yr Atodiad hwnnw fesurau trosiannol mewn perthynas â thynnu deunydd risg penodedig ac fe'i mewnosodwyd yn Rheoliad (EC) Rhif 999/2001 gan Erthygl 3 o Reoliad y Comisiwn (EC) Rhif 1326/2001 (OJ Rhif L177, 30.6.2001, t.60).

7. Yn erthygl 2 o'r prif Orchymyn, mae diffiniad o "vertebral column" yn cael ei ychwanegu ar ddiwedd paragraff 1 a pharagraff 5 newydd yn cael ei ychwanegu (rheoliad 3(2) a (3)).

8. Mae erthygl 3 o'r prif Orchymyn (sy'n diffinio "specified sheep and goat material") yn cael ei diwygio i hepgor o'r diffiniad ddeunydd sy'n deillio o ddefaid a geifr a anwyd, a fagwyd yn barhaus ac a gigyddwyd mewn rhai trydydd gwledydd (rheoliad 3(4) a (5)).

9. Mae rheoliad 4 o'r prif Orchymyn (sy'n diffinio "specified bovine material") yn cael ei ddiwygio'n sylweddol fel bod, yn benodol, deunydd sy'n deillio o anifeiliaid buchol a anwyd, a fagwyd yn barhaus ac a gigyddwyd mewn rhai trydydd gwledydd bellach y tu allan i gwmpas y diffiniad (rheoliad 3(6) i (8));

10. Mae Erthygl 6 o'r prif Orchymyn (sy'n rheoli mewnforio deunydd risg penodedig) yn cael ei diwygio i osod gofynion newydd ynghylch mewnforio carcassau anifeiliaid buchol sy'n cynnwys esgyrn cefn sy'n ddeunydd risg penodedig, ac mae ffurf newydd ar dystysgrif fewnforio yn cael ei rhoi yn lle'r hen un yn Atodlen 2 (rheoliad 3(9) a (10)).

11. Mae arfarniad rheoliadol ar gyfer y Rheoliadau hyn wedi'i baratoi yn unol ag adran 65 o Ddeddf Llywodraeth Cymru 1998 (1998 p.38) ac wedi'i roi yn llyfrgell Cynulliad Cenedlaethol Cymru. Gellir cael copiâu oddi wrth yr Asiantaeth Safonau Bwyd, Llawr 1, Southgate House, Stryd Wood Caerdydd, CF10 1EN.

Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ No. L147, 31.5.2001, p.1). That Annex imposed transitional measures with regard to the removal of specified risk material and was inserted into Regulation (EC) No. 999/2001 by Article 3 of Commission Regulation (EC) No. 1326/2001 (OJ No. L177, 30.6.2001, p.60).

7. In article 2 of the principal Order, a definition of vertebral column is added at the end of paragraph 1 and a new paragraph 5 is added (regulation 3(2) and (3)).

8. Article 3 of the principal Order (which defines "specified sheep and goat material") is amended to exclude from the scope of the definition material derived from sheep and goats born, continuously reared and slaughtered in certain third countries (regulation 3(4) and (5)).

9. Article 4 of the principal Order (which defines "specified bovine material") is substantially revised so that, in particular, material derived from bovine animals born, continuously reared and slaughtered in certain third countries is now outside the scope of the definition (regulation 3(6) to (8)).

10. Article 6 of the principal Order (which regulates the import of specified risk material) is amended to impose new requirements for the import of carcasses of bovine animals containing vertebral column which is specified risk material; and a new form of importation certificate is substituted in Schedule 2 (regulation 3(9) and (10)).

11. A regulatory appraisal for these Regulations has been prepared pursuant to section 65 of the Government of Wales Act 1998 (1998 c.38) and placed in the library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 1st Floor, Southgate House, Wood Street Cardiff, CF10 1EN.

2001 Rhif 2732 (Cy.231)**2001 No. 2732 (W.231)****BWYD, CYMRU****FOOD, WALES****ANIFEILIAID, CYMRU****ANIMALS, WALES****Rheoliadau Deunydd Risg
Penodedig (Diwygio) (Cymru)
2001****The Specified Risk Material
(Amendment) (Wales)
Regulations 2001**

Wedi'u gwneud 26 Gorffennaf 2001
Yn dod i rym 13 Awst 2001

Made 26th July 2001
Coming into force 13th August 2001

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddir gan adrannau 16(1)(a), (b), (c), (d) ac (f) a (3), 17(1), 19(1)(a), 26 a 48(1) o Ddeddf Diogelwch Bwyd 1990(a) a pharagraffau 2(1), 3(1), 5a 6(1)(a) o Atodlen 1 iddi a chan adrannau 1, 10(1)(a) ac (c) a (2), 11, 29(2)(b), 35(1), 76(3) ac 83(2) o Ddeddf Iechyd Anifeiliaid 1981(b), ac Atodlen 2 iddi ac sydd bellach wedi'u breinio ynddo(c), ac ar ôl rhoi sylw yn unol ag adran 48(4A) o Ddeddf 1990 i gyngor perthnasol a roddwyd gan yr Asiantaeth Safonau Bwyd ac ar ôl ymgynghori yn unol ag adran 48(4) a (4B) o Ddeddf 1990, yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred by sections 16(1)(a), (b), (c), (d) and (f), (2)(a) and (3), 17(1), 19(1)(a), 26 and 48(1) of and paragraphs 2(1), 3(1), 5 and 6(1)(a) of Schedule 1 to the Food Safety Act 1990 (a) and by sections 1, 10(1)(a) and (c) and (2), 11, 29(2)(b), 35(1), 76(3) and 83(2) of, and Schedule 2 to, the Animal Health Act 1981 (b) and now vested in it (c), after having had regard in accordance with section 48(4A) of the 1990 Act to relevant advice given by the Food Standards Agency and after consultation in accordance with section 48(4) and (4B) of the 1990 Act, makes the following Regulations:

Enwi, cychwyn a chymhwyso

1. Enw'r Rheoliadau hyn yw Rheoliadau Deunydd Risg Penodedig (Diwygio) (Cymru) 2001; maent yn gymwys i Gymru yn unig a deuant i rym ar 13 Awst 2001.

Citation, commencement and application

1. These Regulations may be cited as the Specified Risk Material (Amendment) (Wales) Regulations 2001; they apply to Wales only and come into force on 13th August 2001.

Diwygiadau i Reoliadau Deunydd Risg Penodedig 1997

2.-(1) I'r graddau y maent yn gymwys i Gymru, mae Rheoliadau Deunydd Risg Penodedig 1997(ch) yn cael

Amendments to the Specified Risk Material Regulations 1997

2.-(1) In so far as they apply to Wales, the Specified Risk Material Regulations 1997 (d) are amended in

(a) 1990 p.16.

(b) 1981 p.22.

(c) Mae swyddogaethau a oedd yn cael eu harfer o'r blaen gan "the Ministers" o dan y Ddeddf Diogelwch Bwyd yn arferadwy bellach mewn perthynas â Chymru gan Gynulliad Cenedlaethol Cymru yn rhinwedd Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (OS 1999/672).

(ch) OS 1997/2965, fel y'i diwygiwyd gan OS 1997/3062, OS 1998/2405 (a ddiwygiwyd ei hun gan OS 1997/2431), OS 1999/539, OS 2000/656, OS 2000/2659 (Cy.172), OS 2000/3387 (Cy.224) ac OS 2000/1973.

(a) 1990 c.16.

(b) 1981 c.22.

(c) Functions formerly exercised by "the Ministers" under the Food Safety Act are now exercisable in relation to Wales by the National Assembly for Wales by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (SI 1999/672).

(d) SI 1997/2965, amended by SI 1997/3062, SI 1998/2405 (itself amended by SI 1997/2431), SI 1999/539, SI 2000/656, SI 2000/2659 (W.172), SI 2000/3387(W.224) and SI 2000/1973.

eu diwygio yn unol â pharagraffau canlynol y rheoliad hwn.

(2) Ym mharagraff (1) o reoliad 2 (dehongli) -

(a) mewnosodir yr ymadrodd "(subject to paragraph (4) below)" ar ddechrau paragraff (c) o'r diffiniad o "specified risk material";

(b) mewnosodir y diffiniadau canlynol rhwng y diffiniad o "listed premises" a'r diffiniad o "official veterinary surgeon" -

""mechanically recovered meat" means meat which -

(a) is derived from residual meat on animal bones; and

(b) has been obtained by mechanical means;" ac

(c) rhoddir y diffiniad canlynol yn lle'r diffiniad presennol o "vertebral column" -

""vertebral column" excludes the vertebrae of the tail and the transverse process of the lumbar vertebrae but includes dorsal root ganglia;"

(3) Mewnosodir y paragraff canlynol ar ddiwedd rheoliad 2 -

"(4) Notwithstanding paragraph (c) of the definition of "specified risk material" in paragraph (1) above, where the carcass of a bovine animal containing vertebral column which is specified bovine material has been imported in accordance with article 6(2A) of the Specified Risk Material Order 1997 (a), the part of the carcass not comprising the vertebral column shall not be regarded as specified risk material for the purposes of these Regulations."

(4) Ym mharagraff (1) o reoliad 3 (deunydd defaid a geifr penodedig), mewnosodir yr ymadrodd "(subject to paragraph (4) below)" cyn yr ymadrodd "specified sheep or goat material".

(5) Mewnosodir y paragraffau canlynol ar ddiwedd rheoliad 3 -

"(4) Material derived from a sheep or goat born, continuously reared and slaughtered in any of the countries specified in paragraph (5) below is not specified sheep or goat material as defined by paragraph (1) above.

(5) The countries are -

Argentina

Australia

Botswana

Brazil

Chile

Costa Rica

accordance with the following paragraphs of this regulation.

(2) In paragraph (1) of regulation 2 (interpretation) -

(a) the phrase "(subject to paragraph (4) below)" is inserted at the beginning of paragraph (c) of the definition of "specified risk material";

(b) the following definitions are inserted between the definition of "listed premises" and the definition of "official veterinary surgeon" -

""mechanically recovered meat" means meat which -

(a) is derived from residual meat on animal bones; and

(b) has been obtained by mechanical means;" and

(c) the following definition is substituted for the existing definition of "vertebral column" -

""vertebral column" excludes the vertebrae of the tail and the transverse process of the lumbar vertebrae but includes dorsal root ganglia;"

(3) The following paragraph is inserted at the end of regulation 2 -

"(4) Notwithstanding paragraph (c) of the definition of "specified risk material" in paragraph (1) above, where the carcass of a bovine animal containing vertebral column which is specified bovine material has been imported in accordance with article 6(2A) of the Specified Risk Material Order 1997 (a), the part of the carcass not comprising the vertebral column shall not be regarded as specified risk material for the purposes of these Regulations."

(4) In paragraph (1) of regulation 3 (specified sheep and goat material), the phrase "(subject to paragraph (4) below)" is inserted before the phrase "specified sheep or goat material".

(5) The following paragraphs are inserted at the end of regulation 3 -

"(4) Material derived from a sheep or goat born, continuously reared and slaughtered in any of the countries specified in paragraph (5) below is not specified sheep or goat material as defined by paragraph (1) above.

(5) The countries are -

Argentina

Australia

Botswana

Brazil

Chile

Costa Rica

(a) OS 1997/2964, a ddiwygiwyd gan OS 2000/2811 ac OS 2000/3387 (Cy.224).

(a) SI 1997/2964, amended by SI 2000/2811 and SI 2000/3387 (W.224).

Namibia
New Zealand
Nicaragua
Paraguay
Singapore
Swaziland and
Uruguay."

(6) Mae'r paragraff canlynol yn cael ei roi yn lle paragraff (1) o reoliad 4 (deunydd buchol penodedig) -

"(1) In these Regulations, "specified bovine material" means -

- (a) (subject to paragraph (7) below) the intestines from the duodenum to the rectum of a bovine animal, regardless of where it was slaughtered or died or its age at slaughter or death;
- (b) the following material derived from a bovine animal which was slaughtered or died in the United Kingdom or Portugal when it was aged over 6 months -
 - (i) the head (excluding the tongue but including the brain, eyes, trigeminal ganglia and tonsils),
 - (ii) the thymus,
 - (iii) the spleen,
 - (iv) the spinal cord, and
 - (v) (subject to paragraph (6) below) in the case of a bovine animal described in this sub-paragraph which was slaughtered or died when it was aged over 12 months, the vertebral column; and
- (c) (subject to paragraph (5) below) the following material derived from a bovine animal which was slaughtered or died elsewhere than in Portugal or the United Kingdom when it was aged over 12 months -
 - (i) the skull (including the brain and eyes),
 - (ii) the tonsils,
 - (iii) the spinal cord, and
 - (iv) (subject to paragraph (7) below) the vertebral column;"

(7) Mewnodi'r y paragraff canlynol yn lle paragraff (4) o reoliad 4 -

"(4) In each of sub-paragraphs (b) and (c) of paragraph (1) above the reference to Portugal does not include a reference to the Autonomous Region of the Azores."

Namibia
New Zealand
Nicaragua
Paraguay
Singapore
Swaziland and
Uruguay."

(6) The following paragraph is substituted for paragraph (1) of regulation 4 (specified bovine material) -

"(1) In these Regulations, "specified bovine material" means -

- (a) (subject to paragraph (5) below) the intestines from the duodenum to the rectum of a bovine animal, regardless of where it was slaughtered or died or its age at slaughter or death;
- (b) the following material derived from a bovine animal which was slaughtered or died in the United Kingdom or Portugal when it was aged over 6 months -
 - (i) the head (excluding the tongue but including the brain, eyes, trigeminal ganglia and tonsils),
 - (ii) the thymus,
 - (iii) the spleen,
 - (iv) the spinal cord, and
 - (v) (subject to paragraph (6) below) in the case of a bovine animal described in this sub-paragraph which was slaughtered or died when it was aged over 12 months, the vertebral column; and
- (c) (subject to paragraph (5) below) the following material derived from a bovine animal which was slaughtered or died elsewhere than in Portugal or the United Kingdom when it was aged over 12 months -
 - (i) the skull (including the brain and eyes),
 - (ii) the tonsils,
 - (iii) the spinal cord, and
 - (iv) (subject to paragraph (7) below) the vertebral column;"

(7) The following paragraph is substituted for paragraph (4) of regulation 4 -

"(4) In each of sub-paragraphs (b) and (c) of paragraph (1) above the reference to Portugal does not include a reference to the Autonomous Region of the Azores."

(8) Mewnosodir y paragraffau canlynol ar ddiwedd rheoliad 4 -

"(5) Material derived from a bovine animal born, continuously reared and slaughtered in any of the countries specified in regulation 3(5) above is not specified bovine material as defined by paragraph (1)(a) or (c) above.

(6) Notwithstanding paragraph (1)(b)(v) above, the vertebral column of -

(a) a bovine animal born and continuously reared in Portugal or the United Kingdom and slaughtered there when it was aged over 12 months but no more than 30 months; or

(b) a beef assurance scheme animal,

shall not be regarded as specified bovine material for the purpose of these Regulations.

(7) Notwithstanding paragraph (1)(c)(iv) above, the vertebral column of a bovine animal born, continuously reared and slaughtered in Austria, Finland or Sweden shall not be regarded as specified bovine material for the purposes of these Regulations.

(8) In paragraph (6)(b) above, "beef assurance scheme animal" means a bovine animal such as is specified in regulation 3(2)(a) or (b) of the Fresh Meat (Beef Controls) (No.2) Regulations 1996 (a).".

(9) Rhoddir y rheoliad canlynol yn lle rheoliad 6 (cymeradwyaethau, awdurdodiadau a chofrestriadau) -

"Approvals and authorisations

6.-(1) The Minister may, on application, approve any premises for the purposes of Part VI of these Regulations (transport and disposal of specified risk material) if he is satisfied that the premises -

(a) are properly equipped to carry out the functions to which the approval relates; and

(b) comply with the requirements of that Part of these Regulations.

(2) The Agency may, on application, authorise any premises under regulation 15 below (prohibition on the removal of the spinal cord of a ruminant animal) if it is satisfied that the premises -

(a) are properly equipped to carry out the functions to which the authorisation relates; and

(b) comply with the requirements of that

(8) The following paragraphs are inserted at the end of regulation 4 -

"(5) Material derived from a bovine animal born, continuously reared and slaughtered in any of the countries specified in regulation 3(5) above is not specified bovine material as defined by paragraph (1)(a) or (c) above.

(6) Notwithstanding paragraph (1)(b)(v) above, the vertebral column of -

(a) a bovine animal born and continuously reared in Portugal or the United Kingdom and slaughtered there when it was aged over 12 months but no more than 30 months; or

(b) a beef assurance scheme animal,

shall not be regarded as specified bovine material for the purpose of these Regulations.

(7) Notwithstanding paragraph (1)(c)(iv) above, the vertebral column of a bovine animal born, continuously reared and slaughtered in Austria, Finland or Sweden shall not be regarded as specified bovine material for the purposes of these Regulations.

(8) In paragraph (6)(b) above, "beef assurance scheme animal" means a bovine animal such as is specified in regulation 3(2)(a) or (b) of the Fresh Meat (Beef Controls) (No.2) Regulations 1996 (a).".

(9) The following regulation is substituted for regulation 6 (approvals, authorisations and registrations) -

"Approvals and authorisations

6.-(1) The Minister may, on application, approve any premises for the purposes of Part VI of these Regulations (transport and disposal of specified risk material) if he is satisfied that the premises -

(a) are properly equipped to carry out the functions to which the approval relates; and

(b) comply with the requirements of that Part of these Regulations.

(2) The Agency may, on application, authorise any premises under regulation 15 below (prohibition on the removal of the spinal cord of a ruminant animal) if it is satisfied that the premises -

(a) are properly equipped to carry out the functions to which the authorisation relates; and

(b) comply with the requirements of that

(a) OS 1996/2097, a ddiwygiwyd gan OS 1996/2522, OS 2000/656 ac OS 2000/3388 (Cy.225).

(a) SI 1996/2097, amended by SI 1996/2522, SI 2000/656 and SI 2000/3388 (W.225).

regulation.

(3) Any approval or authorisation granted or made under these Regulations (including a consent given under regulation 24(7) below) shall be in writing and may be made subject to conditions.

(4) Any such approval or authorisation may be amended, suspended or revoked at any time by notice in writing served on the person to whom the approval or authorisation was granted or, if that person is no longer the occupier of the premises to which the approval or authorisation relates, on the occupier of those premises, if the Minister or, as the case may be, the Agency is satisfied that any provisions of these Regulations in relation to the premises or any conditions in the approval or authorisation are not being complied with."

(10) Rhoddir y rheoliad canlynol yn lle rheoliad 8 (gwaharddiadau sy'n gymwys i'r asgwrn cefn) -

"Mechanically recovered meat

8.-(1) No person shall use any bovine, ovine or caprine bone for the production of mechanically recovered meat.

(2) No person shall use any mechanically recovered meat which is derived from a bovine, ovine or caprine bone in the preparation of food for sale for human consumption."

(11) Mae rheoliad 9 (cofrestru safleoedd lle mae cig yn cael ei adfer drwy gyfrwng mecanyddol o anifeiliaid sy'n cnoi cil) yn cael ei ddiddymu.

(12) Mewnosodir y rheoliad canlynol yn union ar ôl rheoliad 15 (gwahardd tynnu madruddyn cefn anifail sy'n cnoi cil) -

"Treatment of imported carcasses containing vertebral column

15A.-(1) Where the imported carcass of a bovine animal containing vertebral column which is specified bovine material is transported to designated cutting premises in accordance with article 6(2A) of the Specified Risk Material Order 1997 the occupier of those premises shall ensure that the vertebral column is removed from the rest of the carcass at the premises as soon as is practicable after the arrival of the carcass there.

(2) The occupier of any designated cutting premises at which the vertebral column is removed in accordance with this regulation shall ensure that it is -

(a) stained in accordance with regulation 10(3) above; and

regulation.

(3) Any approval or authorisation granted or made under these Regulations (including a consent given under regulation 24(7) below) shall be in writing and may be made subject to conditions.

(4) Any such approval or authorisation may be amended, suspended or revoked at any time by notice in writing served on the person to whom the approval or authorisation was granted or, if that person is no longer the occupier of the premises to which the approval or authorisation relates, on the occupier of those premises, if the Minister or, as the case may be, the Agency is satisfied that any provisions of these Regulations in relation to the premises or any conditions in the approval or authorisation are not being complied with."

(10) The following regulation is substituted for regulation 8 (prohibitions applying to the vertebral column) -

"Mechanically recovered meat

8.-(1) No person shall use any bovine, ovine or caprine bone for the production of mechanically recovered meat.

(2) No person shall use any mechanically recovered meat which is derived from a bovine, ovine or caprine bone in the preparation of food for sale for human consumption."

(11) Regulation 9 (registration of premises on which meat is recovered by mechanical means from ruminant animals) is revoked.

(12) The following regulation is inserted immediately after regulation 15 (prohibition on the removal of the spinal cord of a ruminant animal) -

"Treatment of imported carcasses containing vertebral column

15A.-(1) Where the imported carcass of a bovine animal containing vertebral column which is specified bovine material is transported to designated cutting premises in accordance with article 6(2A) of the Specified Risk Material Order 1997 the occupier of those premises shall ensure that the vertebral column is removed from the rest of the carcass at the premises as soon as is practicable after the arrival of the carcass there.

(2) The occupier of any designated cutting premises at which the vertebral column is removed in accordance with this regulation shall ensure that it is -

(a) stained in accordance with regulation 10(3) above; and

(b) disposed of as specified risk material in accordance with these Regulations.

(3) In paragraphs (1) and (2) above, "designated cutting premises" means licensed cutting premises which the Agency has, following receipt by it of a written application, designated in writing for the purposes of this regulation.

(4) Any designation made by the Agency for the purposes of this regulation may be made subject to conditions.

(5) Any such designation may be amended, suspended or revoked at any time by notice in writing served on the person in whose favour it was granted or, if that person is no longer the occupier of the premises to which the designation relates, on the occupier of those premises, if the Agency is satisfied that any provision of these Regulations has not been complied with in relation to the premises or any condition in the designation has been breached.

(6) In paragraph (1) above "carcase" means any whole carcase, half carcase, or quarter carcase."

(13) Ym mharagraff (1) o reoliad 26 (y pŵer i roi cyfarwyddiadau) -

- (a) mewnosodir y geiriau "or the Agency" cyn y gair "is satisfied"; a
- (b) mewnosodir y geiriau "he or as the case may be" cyn y geiriau "the Agency".

(14) Ym mharagraff (2) o reoliad 26 mewnosodir y geiriau "or as the case may be the Agency" cyn y gair "may".

Diwygio Gorchymyn Deunydd Risg Penodedig 1997

3.- (1) I'r graddau y mae'n gymwys i Gymru, caiff Gorchymyn Deunydd Risg Penodedig 1997 ei ddiwygio yn unol â paragraffau canlynol y Rheoliad hwn.

(2) Ym mharagraff (1) o erthygl 2 (dehongli) -

- (a) mewnosodir yr ymadrodd "(subject to paragraph (5) below)" ar ddechrau paragraff (c) o'r diffiniad o "specified risk material"; a
- (b) mewnosodir y diffiniad canlynol ar y diwedd - ""vertebral column" excludes the vertebrae of the tail and the transverse process of the lumbar vertebrae but includes dorsal root ganglia."

(3) Mewnosodir y paragraff canlynol ar ddiwedd erthygl 2 -

"(5) Notwithstanding paragraph (c) of the definition of "specified risk material" in paragraph (1) above, where the carcase of a bovine animal containing vertebral column which is specified bovine material has been imported in accordance with article 6(2A) below, the part of

(b) disposed of as specified risk material in accordance with these Regulations.

(3) In paragraphs (1) and (2) above, "designated cutting premises" means licensed cutting premises which the Agency has, following receipt by it of a written application, designated in writing for the purposes of this regulation.

(4) Any designation made by the Agency for the purposes of this regulation may be made subject to conditions.

(5) Any such designation may be amended, suspended or revoked at any time by notice in writing served on the person in whose favour it was granted or, if that person is no longer the occupier of the premises to which the designation relates, on the occupier of those premises, if the Agency is satisfied that any provision of these Regulations has not been complied with in relation to the premises or any condition in the designation has been breached.(6)

In paragraph (1) above "carcase" means any whole carcase, half carcase, or quarter carcase."

(13) In paragraph (1) of regulation 26 (power to give directions) -

- (a) the words "or the Agency" are inserted before the words "is satisfied"; and
- (b) the words "he or as the case may be" are inserted before the words "the Agency".

(14) In paragraph (2) of regulation 26 the words "or as the case may be the Agency" are inserted before the word "may".

Amendment of the Specified Risk Material Order 1997

3.- (1) In so far as it applies to Wales, the Specified Risk Material Order 1997 shall be amended in accordance with the following paragraphs of this Regulation.

(2) In paragraph (1) of article 2 (interpretation) -

- (a) the phrase "(subject to paragraph (5) below)" is inserted at the beginning of paragraph (c) of the definition of "specified risk material"; and
- (b) the following definition is inserted at the end - ""vertebral column" excludes the vertebrae of the tail and the transverse process of the lumbar vertebrae but includes dorsal root ganglia."

(3) The following paragraph is inserted at the end of article 2 -

"(5) Notwithstanding paragraph (c) of the definition of "specified risk material" in paragraph (1) above, where the carcase of a bovine animal containing vertebral column which is specified bovine material has been imported in accordance with article 6(2A) below, the part of

the carcase not comprising the vertebral column shall not be regarded as specified risk material for the purposes of this Order."

(4) Ym mharagraff (1) o erthygl 3 (deunydd defaid a geifr penodedig), mewnosodir yr ymadrodd "(subject to paragraph (2) below)" cyn yr ymadrodd "specified sheep or goat material".

(5) Mewnosodir y paragraffau canlynol ar ddiwedd erthygl 3 -

"(2) Material derived from a sheep or goat born, continuously reared and slaughtered in any of the countries specified in paragraph (3) below is not specified sheep or goat material as defined by paragraph (1) above.

(3) The countries are -

Argentina
Australia
Brazil
Botswana
Chile
Costa Rica
Namibia
New Zealand
Nicaragua
Paraguay
Singapore
Swaziland and
Uruguay."

(6) Rhoddir y paragraff canlynol yn lle paragraff (1) o erthygl 4 (deunydd buchol penodedig) -

"(1) In this Order, "specified bovine material" means -

- (a) (subject to paragraph (3) below) the intestines from the duodenum to the rectum of a bovine animal, regardless of where it was slaughtered or died or its age at slaughter or death;
- (b) the following material derived from a bovine animal which was slaughtered or died in the United Kingdom or Portugal when it was aged over 6 months -
 - (i) the head (excluding the tongue but including the brain, eyes, trigeminal ganglia and tonsils),
 - (ii) the thymus,
 - (iii) the spleen,
 - (iv) the spinal cord, and
 - (v) (subject to paragraph (4) below) in the case of such an animal which was slaughtered or died when it was aged over 12 months, the vertebral column; and

the carcase not comprising the vertebral column shall not be regarded as specified risk material for the purposes of this Order."

(4) In paragraph (1) of article 3 (specified sheep and goat material), the phrase "(subject to paragraph (2) below)" is inserted before the phrase "specified sheep or goat material".

(5) The following paragraphs are inserted at the end of article 3 -

"(2) Material derived from a sheep or goat born, continuously reared and slaughtered in any of the countries specified in paragraph (3) below is not specified sheep or goat material as defined by paragraph (1) above.

(3) The countries are -

Argentina
Australia
Brazil
Botswana
Chile
Costa Rica
Namibia
New Zealand
Nicaragua
Paraguay
Singapore
Swaziland and
Uruguay."

(6) The following paragraph shall be substituted for paragraph (1) of article 4 (specified bovine material) -

"(1) In this Order, "specified bovine material" means -

- (a) (subject to paragraph (3) below) the intestines from the duodenum to the rectum of a bovine animal, regardless of where it was slaughtered or died or its age at slaughter or death;
- (b) the following material derived from a bovine animal which was slaughtered or died in the United Kingdom or Portugal when it was aged over 6 months -
 - (i) the head (excluding the tongue but including the brain, eyes, trigeminal ganglia and tonsils),
 - (ii) the thymus,
 - (iii) the spleen,
 - (iv) the spinal cord, and
 - (v) (subject to paragraph (4) below) in the case of such an animal which was slaughtered or died when it was aged over 12 months, the vertebral column; and

(c) (subject to paragraph (3) below) the following material derived from a bovine animal which was slaughtered or died elsewhere than in Portugal or the United Kingdom when it was aged over 12 months -

- (i) the skull (including the brain and eyes),
- (ii) the tonsils,
- (iii) the spinal cord, and
- (iv) (subject to paragraph (5) below) the vertebral column."

(7) Rhoddir y paragraff canlynol yn lle paragraff (2) o erthygl 4 -

"(2) In each of sub-paragraphs (b) and (c) of paragraph (1) above the reference to Portugal does not include a reference to the Autonomous Region of the Azores."

(8) Ychwanegir y paragraffau canlynol ar ddiwedd erthygl 4 -

"(3) Material derived from a bovine animal born, continuously reared and slaughtered in any of the countries specified in article 3(3) above is not specified bovine material as defined by paragraph (1)(a) or (c) above.

(4) Notwithstanding paragraph (1)(b)(v) above, the vertebral column of -

- (a) a bovine animal born and continuously reared in Portugal or the United Kingdom and slaughtered there when it was aged over 12 months but no more than 30 months; or
- (b) a beef assurance scheme animal,

shall not be regarded as specified bovine material for the purpose of this Order.

(5) Notwithstanding paragraph (1)(c)(iv) above, the vertebral column of a bovine animal born, continuously reared and slaughtered in Austria, Finland or Sweden shall not be regarded as specified bovine material for the purposes of this Order.

(6) In paragraph (4)(b) above, "beef assurance scheme animal" means a bovine animal such as is specified in regulation 3(2)(a) or (b) of the Fresh Meat (Beef Controls) (No. 2) Regulations 1996."

(9) Yn erthygl 6 -

(a) mewnosodir y geiriau "Subject to paragraph (2A) below" ar ddechrau paragraff (2); a

(b) mewnosodir y paragraff canlynol ar ôl paragraff (2) -

"(2A) No person shall import into Wales from outside the British Islands a carcass of a bovine animal containing any vertebral column which is specified bovine material unless-

(c) (subject to paragraph (3) below) the following material derived from a bovine animal which was slaughtered or died elsewhere than in Portugal or the United Kingdom when it was aged over 12 months -

- (i) the skull (including the brain and eyes),
- (ii) the tonsils,
- (iii) the spinal cord, and
- (iv) (subject to paragraph (5) below) the vertebral column."

(7) The following paragraph is substituted for paragraph (2) of article 4 -

"(2) In each of sub-paragraphs (b) and (c) of paragraph (1) above the reference to Portugal does not include a reference to the Autonomous Region of the Azores."

(8) The following paragraphs are added at the end of article 4 -

"(3) Material derived from a bovine animal born, continuously reared and slaughtered in any of the countries specified in article 3(3) above is not specified bovine material as defined by paragraph (1)(a) or (c) above.

(4) Notwithstanding paragraph (1)(b)(v) above, the vertebral column of -

- (a) a bovine animal born and continuously reared in Portugal or the United Kingdom and slaughtered there when it was aged over 12 months but no more than 30 months; or
- (b) a beef assurance scheme animal,

shall not be regarded as specified bovine material for the purpose of this Order.

(5) Notwithstanding paragraph (1)(c)(iv) above, the vertebral column of a bovine animal born, continuously reared and slaughtered in Austria, Finland or Sweden shall not be regarded as specified bovine material for the purposes of this Order.

(6) In paragraph (4)(b) above, "beef assurance scheme animal" means a bovine animal such as is specified in regulation 3(2)(a) or (b) of the Fresh Meat (Beef Controls) (No. 2) Regulations 1996."

(9) In article 6 -

(a) the words "Subject to paragraph (2A) below" are inserted at the beginning of paragraph (2); and

(b) the following paragraph is inserted after paragraph (2) -

"(2A) No person shall import into Wales from outside the British Islands a carcass of a bovine animal containing any vertebral column which is specified bovine material unless -

- (a) the carcass is to be transported directly to premises designated under regulation 15A of the Specified Risk Material Regulations 1997 for the removal of the vertebral column there; and
- (b) not less than 72 hours before he intends to import the carcass, he has given notice of the intended import to the director of the Meat Hygiene service of the Food Standards Agency for the region of that Service in which the premises are situated"

(10) Yn Atodlen 2 (ffurf tystysgrif fewnforio) yn lle'r datganiad rhoddir y datganiad canlynol -

"Declaration

***Either:**

This product does not contain and is not derived from specified risk material as defined in Annex I, point 1(a) of Decision 2000/418/EC, produced after 31 March 2001, or mechanically recovered meat obtained from the bones of bovine, ovine or caprine animals, produced after 31 March 2001. The animals have not been slaughtered, after 31 March 2001, after stunning by means of a gas injected into the cranial cavity or killed instantaneously by the same method, or slaughtered after laceration, after stunning, of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity.

***Or:**

This product does not contain and is not derived from bovine, ovine or caprine materials other than those derived from animals born, reared and slaughtered in the following countries:-

- Argentina
- Australia
- Botswana
- Brazil
- Chile
- Costa Rica
- Namibia
- New Zealand
- Nicaragua
- Paraguay
- Singapore
- Swaziland and
- Uruguay

***delete one of these as appropriate."**

- (a) the carcass is to be transported directly to premises designated under regulation 15A of the Specified Risk Material Regulations 1997 for the removal of the vertebral column there; and
- (b) not less than 72 hours before he intends to import the carcass, he has given notice of the intended import to the director of the Meat Hygiene Service of the Food Standards Agency for the region of that Service in which those premises are situated"

(10) In Schedule 2 (form of importation certificate) for the declaration there shall be substituted the following declaration -

"Declaration

***Either:**

This product does not contain and is not derived from specified risk material as defined in Annex I, point 1(a) of Decision 2000/418/EC, produced after 31 March 2001, or mechanically recovered meat obtained from the bones of bovine, ovine or caprine animals, produced after 31 March 2001. The animals have not been slaughtered, after 31 March 2001, after stunning by means of a gas injected into the cranial cavity or killed instantaneously by the same method, or slaughtered after laceration, after stunning, of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity.

***Or:**

This product does not contain and is not derived from bovine, ovine or caprine materials other than those derived from animals born, reared and slaughtered in the following countries:-

- Argentina
- Australia
- Botswana
- Brazil
- Chile
- Costa Rica
- Namibia
- New Zealand
- Nicaragua
- Paraguay
- Singapore
- Swaziland and
- Uruguay

***delete one of these as appropriate."**

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998 (a).

Rhodri Morgan

26 Gorffennaf 2001

26th July 2001

Prif Ysgrifennydd y Cynulliad Cenedlaethol

The First Secretary of the National Assembly

CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 2732 (Cy.231)

BWYD, CYMRU

ANIFEILIAID, CYMRU

Rheoliadau Deunydd Risg
Penodedig (Diwygio) (Cymru)
2001

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2001 No. 2732 (W.231)

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