

SCHEDULE 1

Regulation 17

Animal By-Product Requirements

<i>Column 1</i> <i>Subject matter of requirement</i>	<i>Column 2</i> <i>Provisions containing the basic requirement</i>	<i>Column 3</i> <i>Provisions to be read with the provision(s) mentioned in Column 2</i>
1. General Obligation	Article 4(1) or (2) of the EU Control Regulation	Article 5(1) and (2) of the EU Control Regulation as read with Article 3 of the EU Implementing Regulation (end point in the manufacturing chain)
2. Compliance with general animal health restrictions	Article 6(1) of the EU Control Regulation	Article 6(1) of the EU Control Regulation and Article 4 of the EU Implementing Regulation (serious transmissible diseases)
3. Compliance with restrictions on use for feeding purposes	Article 11 of the EU Control Regulation	Regulations 4 to 6 (access) and regulation 7(2) of these Regulations (subject to regulation 7(3)) (additional waiting period for pigs) Article 11(2) of the EU Control Regulation; as read with Article 5(1) of the EU Implementing Regulation (restrictions on use in respect of Article 11(1)(a) of the EU Control Regulation) and Article 5(2) of that Regulation (restrictions on use in respect of Article 11(1)(c) of the EU Control Regulation)
4. Disposal and use of Category 1 material	Article 12 of the EU Control Regulation as read with— the following provisions of Article 16 (derogations) of that Regulation— Article 16(b) (disposal and use in accordance with Article 17); Article 16(c) (disposal and use in accordance with Article 18(2)); Article 16(d) (disposal and use in accordance with Article 19);	Article 15(1)(b) of the EU Control Regulation as read with Article 8(1) of the EU Implementing Regulation (requirements for processing plants and other establishments) and Article 9(b) of that Regulation (standard processing methods)

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	Article 16(e) (disposal and use in accordance with Article 20)	
	Article 7 of the EU Implementing Regulation	Article 15(1)(d) of the EU Control Regulation as read with Article 6(3) to (5) of the EU Implementing Regulation (disposal by incineration in respect of Article 12(a) or (b) of the EU Control Regulation)
		Article 17(2) of the EU Control Regulation as read with Article 11(2) of the EU Implementing Regulation (special rules on research and diagnostic samples) and Article 12(2) of that Regulation (special rules on trade samples and display items)
		Article 19(4) of the EU Control Regulation as read with Article 15 of the EU Implementing Regulation (collection, transport and disposal)
		Article 20(11) of the EU Control Regulation (supplementary measures) as read with Article 9(c) of the EU Implementing Regulation (alternative processing methods)
5. Disposal and use of Category 2 material	of Article 13 of the EU Control Regulation, as read with—	Article 15(1)(b) of the EU Control Regulation and Article 8(1) of the EU Implementing Regulation (requirements for processing plants and other establishments and Article 9(b) of that Regulation (standard processing methods)
	Article 15(2)(b) of the EU Control Regulation; and the following provisions of Article 16 (derogations) of that Regulation—	
	Article 16(b) (disposal and use in accordance with Article 17);	Article 15(1)(c) of the EU Control Regulation and Article 10(1) of the EU Implementing Regulation (requirements regarding transformation into biogas and composting in
	Article 16(c) (disposal and use in accordance with Article 18(1));	

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	<p>Article 16(d) (disposal and use in accordance with Article 19);</p> <p>Article 16(e) (disposal and use in accordance with Article 20);</p> <p>Article 16(f) (disposal and use of Category 2 material);</p> <p>Article 16(h) (disposal and use as a result of surgery on a farm)</p>	<p>respect of Article 13(e) or (f) of the EU Control Regulation)</p> <p>Article 15(1)(d) and Article 6(3) to (5) of the EU Implementing Regulation (disposal by incineration in respect of Article 13(a) or (b) of the EU Control Regulation)</p> <p>Article 17(2) of the EU Control Regulation as read with Article 11(2) of the EU Implementing Regulation (special rules on research and diagnostic samples) and Article 12(2) of that Regulation (special rules on trade samples and display items)</p> <p>Article 18(3) of the EU Control Regulation as read with Article 13(1) of the EU Implementing Regulation (special feeding rules) and regulation 8 of these Regulations (collection centres)</p> <p>Article 19(4) of the EU Control Regulation as read with Article 15 of the EU Implementing Regulation (collection, transport and disposal)</p> <p>Article 20(11) of the EU Control Regulation as read with Article 9(c) of the EU Implementing Regulation</p>

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<p>6. Disposal and use of Category 3 material</p>	<p>Article 14 of the EU Control Regulation, as read with—</p> <p>the following provisions of Article 16 (derogations) of that Regulation—</p> <p>Article 16(b) (disposal and use in accordance with Article 17);</p> <p>Article 16(c) (disposal and use in accordance with Article 18(1));</p> <p>Article 16(d) (disposal and use in accordance with Article 19);</p> <p>Article 16(e) (disposal and use in accordance with Article 20);</p> <p>Article 16(f) ; (disposal and use of Category 2 material);</p> <p>Article 16(g) (use for feeding);</p> <p>Article 16(h) (disposal and use as a result of surgery on a farm) and</p> <p>Article 7 of the EU Implementing Regulation</p>	<p>(alternative processing methods)</p> <p>Article 15(1)(b) of the EU Control Regulation as read with Article 8(1) of the EU Implementing Regulation (requirements for processing plants and other establishments) and Article 9(b) of that Regulation (standard processing methods)</p> <p>Article 15(1)(c) of the EU Control Regulation and Article 10(1) of the EU Implementing Regulation (requirements regarding transformation into biogas and composting in respect of Article 14(f) or (g) of the EU Control Regulation)</p> <p>Article 15(1)(d) of the EU Control Regulation and Article 6(3) to (5) of the EU Implementing Regulation (disposal by incineration in respect of Article 14(a) or (b) of the EU Control Regulation)</p> <p>Article 17(2) of the EU Control Regulation as read with Article 11(2) of the EU Implementing Regulation (special rules on research and diagnostic samples) and Article 12(2) of that Regulation (special rules on trade samples and display items)</p>

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		<p>Article 18(3) of the EU Control Regulation as read with Article 13(2) of the EU Implementing Regulation (special feeding rules)</p> <p>Article 19(4) of the EU Control Regulation as read with Article 15 of the EU Implementing Regulation (collection, transport and disposal)</p> <p>Article 20(11) (supplementary measures) of the EU Control Regulation as read with Article 9(c) of the EU Implementing Regulation (alternative processing methods)</p> <p>Article 36(3) of the EU Implementing Regulation (transitional measures) as read with regulation 30 of these Regulations</p>
7. Collection and identification as regards category and transport	Article 21(1) to (4) of the EU Control Regulation	Article 21(5) to (6) of the EU Control Regulation as read with Article 17 of the EU Implementing Regulation (requirements of collection, transport, identification and traceability)
8. Traceability	Article 22(1) to (2) of the EU Control Regulation	Article 22(3) of the EU Control Regulation as read with Article 17 of the EU Implementing Regulation (requirements of collection, transport, identification and traceability)
9. Registration of operators, establishments and plants	Article 23(1) of the EU Control Regulation (subject to Article 23(4)), and Article 23(2) of that Regulation as read with Article 55 of the EU Control Regulation	Regulation 11 of these Regulations (procedure for registration)
		Article 23(3) of the EU Control Regulation and Article 27 of that Regulation as read

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<p>10. Approval establishments and plants</p>	<p>of Article 24 of the EU Control Regulation as read with Article 44(3) of the EU Control Regulation and Article 55 of that Regulation</p>	<p>with Article 20(1) and (2) of the EU Implementing Regulation (subject to paragraph (3)) (requirements of certain registered establishments and plants)</p> <p>Article 47(2) of the EU Control Regulation as read with Article 32(7) of the EU Implementing Regulation (format requirements for lists of registered operators)</p> <p>Regulation 13 of these Regulations (procedure for approval)</p> <p>Article 27 of the EU Control Regulation (implementing measures) as read with Article 19 of the EU Implementing Regulation (requirements concerning certain approved establishments and plants) and Article 33 of that Regulation (re-approval of plants and establishments after the grant of a temporary approval)</p> <p>Article 47(2) of the EU Control Regulation as read with Article 32(7) of the EU Implementing Regulation (format requirements for lists of approved operators)</p>
<p>11. General conditions</p>	<p>hygiene Article 25 of the EU Control Regulation</p>	<p>Article 27 of the EU Control Regulation (implementing measures) as read with Article 9(a) of the EU Implementing Regulation (hygiene and processing requirements) Article 19 of the EU Implementing Regulation (requirements in relation to certain approved plants in Article 24 of the EU Control</p>

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		Regulation and Article 20 of the EU Implementing Regulation (requirements in relation to certain registered operators)
12. Handling of animal by-products within food	Article 26 of the EU businesses Control Regulation	
13. Own checks	Article 28 of the EU Control Regulation	
14. Hazard analysis	Article 29(1) to (3) of the EU Control Regulation	
15. Placing on the market animal by-products and derived products for feeding to farmed animals excluding fur animals	Article 31(1) of the EU Control Regulation	Article 31(2) of the EU Control Regulation as read with Article 21 of the EU Implementing Regulation (placing on the market for feeding to farmed animals) and Article 24(2) of that Regulation (pet food and other derived products)
16. Placing on the market and use of organic fertilisers and soil improvers	Article 32(1) and (2) of the EU Control Regulation	Regulation 7(1) of these Regulations (subject to regulation 7(3)) (application of fertilisers) Article 32(3) of the EU Control Regulation as read with Article 22(1) to (3) of the EU Implementing Regulation (placing on the market of fertilisers)
17. Collection and movement for manufacture of derived products	Article 34 of the EU Control Regulation except in so far as it relates to imports	Article 36(1) of the EU Implementing Regulation (transitional measures) Article 33 of the EU Control Regulation (placing on the market of derived products)
18. Compliance with prohibition on use for manufacture for products not	Article 24(1) of the EU Implementing Regulation	Article 23 of the EU Implementing Regulation (intermediate products) Article 33 of the EU Control Regulation (placing on the market of certain derived

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within Article 33 or 36 of the EU Control Regulation		products regulated by Community legislation) Article 36 of that Regulation (placing on the market of other derived products)
19. Placing on the market of pet food	Article 35 of the EU Control Regulation	Article 5(2) of the EU Control Regulation as read with Article 3 of the EU Implementing Regulation (end point in the manufacturing chain) Article 40 of the EU Control Regulation as read with Article 24(3) of the EU Implementing Regulation (pet food and other derived products)
20. Placing on the market of other derived products	Article 36 of the EU Control Regulation	Regulation 10 of these Regulations (placing on the market) Article 5(2) of the EU Control Regulation as read with Article 3 of the EU Implementing Regulation (end point in the manufacturing chain) Article 40 of the EU Control Regulation as read with Article 24(1), (2) and (4) of the EU Implementing Regulation (pet food and other derived products)
21. Safe sourcing	Article 37(2) of the EU Control Regulation	
22. Export	Article 43 of the EU Control Regulation	
23. Controls for dispatch	Article 48(1), (4) and (5), as read with Article 48(6), of the EU Control Regulation	Article 48(7) and (8) of the EU Control Regulation as read with Article 11(3) of the EU Control Regulation (special rules on research and diagnostic samples), Article 12(3) of that Regulation (special rules on trade samples and display items) and Article 31 of that Regulation (models of health certificates and

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<i>Subject matter of requirement</i>	<i>Provisions containing the basic requirement</i>	<i>Provisions to be read with the provision(s) mentioned in Column 2</i>
		declarations for importation and transit)

SCHEDULE 2

Regulation 28

Consequential Amendments

The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991

1. The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991(1) insofar as they relate to Wales are amended as follows.

2. In regulation 2 (exemption from registration)—

(a) in paragraph (1)(i), for the words “Article 7(1) or 7(2)” substitute “Article 21(1) to (3)”; and

(b) in paragraph (2), for the definition of “the Community Regulation” substitute—

““ the Community Regulation” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”.

The Controlled Waste Regulations 1992

3. The Controlled Waste Regulations 1992(2) are amended insofar as they relate to Wales as follows.

4. In regulation 7 (waste not to be treated as industrial or commercial waste)—

(a) in paragraph (3), for the words “Article 7(1) or 7(2)” substitute “Article 21(1) to (3)”; and

(b) for paragraph (4) substitute—

“(4) In this regulation—

(a) “the Community Regulation” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);

(b) “animal by-products” has the same meaning as in Article 3(1) of the Community Regulation.”.

The Waste Management Licensing Regulations 1994

5. The Waste Management Licensing Regulations 1994(3) are amended insofar as they relate to Wales as follows.

(1) S.I. 1991/1624, amended by S.I. 2006/937; there are other amending instruments but none is relevant.

(2) S.I. 1992/588, amended by S.I. 2006/937; there are other amending instruments but none is relevant.

(3) S.I. 1994/1056, amended by S.I. 2006/937; there are other amending instruments but none is relevant.

6. In regulation 20 (registration of brokers), for paragraph (9) substitute—
- “(9) In this regulation—
- (a) “the Community Regulation” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);
 - (b) “animal by-products” has the same meaning as in Article 3(1) of the Community Regulation.”.

The Animal By-Products (Identification) Regulations 1995

7. The Animal By-Products (Identification) Regulations 1995(4) are amended insofar as they relate to Wales as follows.

8. In regulation 2(1) (interpretation)—
- (a) for the definition of “approved incineration plant” substitute—

““approved incineration plant” means an incineration plant which is approved under Article 24(1)(b) of the Community Regulation;”;
 - (b) for the definition of “approved rendering plant” substitute—

““approved rendering plant” means a Category 2 processing plant which is approved under Article 24(1)(a) of the Community Regulation;”;
 - (c) for the definition of “the Community Regulation” substitute—

““the Community Regulation” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”;
 - (d) for the definition of “specified bovine offal” substitute—

““specified risk material” has the meaning given in Article 3(18) of the Community Regulation;”.
9. For regulation 4(b) (scope) substitute—
- “(b) affect the operation of the Animal By-Products (Enforcement) (Wales) Regulations 2011 or any order made, or having effect, under the Animal Health Act 1981.”.
10. In regulation 5 (exemptions)—
- (a) in paragraph (1)(f), for the words “specified bovine offal” substitute “specified risk material”;
 - (b) in paragraph (2)(c), for the words “the 2003 Regulations” substitute “the Community Regulation”; and
 - (c) in paragraph (2)(d), for the words “the 2003 Regulations” substitute “the Community Regulation”.
11. In regulation 9(3) (storage and packaging of animal by-products)—
- (a) in paragraph (3)(d), for the words “Article 2.1(c)” substitute “Article 9”; and
 - (b) in paragraph (3)(e), for the words “Article 2.1(d)” substitute “Article 10”.

(4) S.I. 1995/614, relevant amending instruments are S.I. 1995/1955, 2002/1619, 2003/1484.

The Products of Animal Origin (Import and Export) Regulations 1996

12. The Products of Animal Origin (Import and Export) Regulations 1996⁽⁵⁾ are amended insofar as they relate to Wales as follows.

13. In regulation 1(2) (interpretation)—

(a) in the definition of “product of animal origin”, in sub-paragraph (f) for the words “Directive 90/667” substitute “Regulation (EU) No. 1069/2009 or Regulation (EU) No. 142/2011”;

(b) after the definition of “Regulation 1274/91” insert—

““Regulation (EU) No. 1069/2009” means Regulation (EU) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);

“Regulation (EU) No. 142/2011” means Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.”.

14. In regulation 10 (exports to other member states), after each reference to “Directive 92/118” insert “Regulation (EU) No. 1069/2009 or Regulation (EU) No. 142/2011”.

15. In regulation 11(1) (registration of certain establishments which produce, process or store products of animal origin)—

(a) after each reference to “Directive 92/118” insert “Regulation (EU) No. 1069/2009 or Regulation (EU) No. 142/2011”; and

(b) in sub-paragraph (a), for “15 of Schedule 3, under Directive 90/667” substitute “ 16 of Schedule 3”.

16. In regulation 12(1) (notification of certain establishments which supply or store products of animal origin)—

(a) after each reference to “Directive 92/118” insert “Regulation (EU) No. 1069/2009 or Regulation (EU) No. 142/2011”; and

(b) in sub-paragraph (a), for “15 of Schedule 3, under Directive 90/667” substitute “ 16 of Schedule 3”.

17. In Schedule 3 (community measures relevant to intra-community trade)—

(a) at the end of the title to paragraph 12, insert “and also not subject to Regulation (EU) No. 1069/2009 and Regulation (EU) No. 142/2011”; and

(b) after paragraph 15 (wild game), insert—

“Animal By-Products

16. Regulation (EU) No. 1069/2009 and Regulation (EU) No. 142/2011.”.

The Foot-and-Mouth Disease (Wales) Order 2006

18. The Foot-and-Mouth Disease (Wales) Order 2006⁽⁶⁾ is amended as follows.

(5) S.I. 1996/3124, amended by S.I. 2006/2407; there are other amending instruments but none is relevant.

(6) S.I. 2006/179 (W.30).

- 19.** In article 2(1) (interpretation) after the definition of “public highway” insert—
- ““Regulation (EU) No. 1069/2009” means Regulation (EU) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);
- “Regulation (EU) No. 142/2011” means Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.
- 20.** In article 26 (slaughter; control of faecal material), in paragraph (2)(b) for the words “point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption, as amended,” substitute “ Articles 15 and 32 of Regulation (EU) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”.
- 21.** In article 27(2)(c) (slaughter: isolation of things liable to spread disease) for “Regulation (EC) No. 1774/2002, as amended” substitute “Regulation (EU) No. 1069/2009”.
- 22.** In Schedule 4 (measures applicable in respect of protection zones and surveillance zones)—
- (a) in paragraph 20(4) (transport, treatment and spreading of dung and manure produced in a protection zone) for the words “point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Articles 15 and 32 of Regulation (EU) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011 to Regulation (EU) No. 142/2011”; and
- (b) in paragraph 33(4) (transport, treatment and spreading of dung and manure produced in a surveillance zone), for the words “point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Articles 15 and 32 of Regulation (EU) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011 to Regulation (EU) No. 142/2011”.
- 23.** In Schedule 5 (treatments to ensure the destruction of disease virus)—
- (a) in paragraph 2 (hides and skins), for the words “ article 20 of and points A(2)(c) or (d) of Chapter VI of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Article 36 of Regulation (EU) No. 1069/2009 and point 28(c) and (d) of Annex I to Regulation (EU) No. 142/2011”;
- (b) in paragraph 3 (wool, ruminant hair and pig bristles), for the words “article 20 of and point A(1) of Chapter VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Article 36 of Regulation (EU) No. 1069/2009 and Article 24(4) of Regulation (EU) No. 142/2011”;
- (c) in paragraph 5 (blood and blood products), for the words “point B(3)(e)(ii) of Chapter IV of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “point 2(b)(ii) of Chapter IV of Annex XIII to Regulation (EU) No. 142/2011”;
- (d) in paragraph 6 (lard and rendered fats), for the words “point B(2)(d)(iv) of Chapter IV of Annex VII to Regulation (EC) No. 1774/2002, as amended” substitute “point 3(d) of Chapter I of Annex XIV to Regulation (EU) No. 142/2011”;
- (e) in paragraph 7 (petfood and dog chews), for the words “points B(2), (3) or (4) of Chapter II of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Chapter II of Annex XIII to Regulation (EU) No. 142/2011”; and

- (f) in paragraph 8 (game trophies of ungulates), for the words “points A(1), (3), or (4) of Chapter VII of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Chapter VI of Annex XIII to Regulation (EU) No. 142/2011”.

The Foot-and-Mouth Disease (Control of Vaccination) (Wales) Regulations 2006

24. The Foot-and-Mouth Disease (Control of Vaccination) (Wales) Regulations 2006⁽⁷⁾ is amended as follows.

25. In Part 3 of the Schedule (measures applicable in respect of a vaccination zone), in paragraph 18 (transport, treatment and distribution of dung and manure), for sub-paragraph (4) substitute—

“(4) The occupier of any premises to which dung or manure is transported by authority of a licence granted under sub-paragraph (3) must ensure that it is treated in accordance with—

- (a) Articles 15 and 32 of Regulation (EU) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation); and
- (b) Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011 to Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.”.

The Animals and Animal Products (Import and Export) (Wales) Regulations 2006

26. The Animals and Animal Products (Import and Export) (Wales) Regulations 2006⁽⁸⁾ are amended as follows.

27. In Part 1 of Schedule 3 (intra-community trade: legislation and additional requirements), for paragraph 7 (animal waste) substitute—

“Animal by-products

7.—(1) Regulation (EU) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation).

(2) Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.”.

The Products of Animal Origin (Third Country Imports) (Wales) Regulations 2007

28. The Products of Animal Origin (Third Country Imports) (Wales) Regulations 2007⁽⁹⁾ are amended as follows.

(7) S.I. 2006/180 (W.31).

(8) S.I. 2006/1536 (W.153), as amended.

(9) S.I. No 2007/376 (W.36), as amended.

- 29.** In regulation 2(1) (interpretation), after the definition of “Regulation (EC) No. 136/2004” insert—
- ““Regulation (EU) No 1069/2009” means Regulation (EU) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);
- “Regulation (EU) No 142/2011” means Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.
- 30.** In regulation 4 (exemption for authorised products and personal imports)—
- (a) in paragraph (1), at the end, insert “other than products to which Article 17 of Regulation (EU) No. 1069/2009 and Articles 11(2) and 12(2) of Regulation (EU) No. 142/2011 apply”;
- (b) in paragraph (4)(b) for the words “Regulation (EC) No. 1774/2002 and the Animal By-Products (Wales) Regulations 2006” substitute “Regulation (EU) No. 1069/2009 and the Animal By-Products (Enforcement) (Wales) Regulations 2011”; and
- (c) in paragraph (5)(b) for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EU) No. 1069/2009”.
- 31.** In regulation 5(1)(a) (enforcement authorities and exchange of information), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EU) No. 1069/2009”.
- 32.** In regulation 6(1)(a) (appointment of official veterinary surgeons and official fish inspectors), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EU) No. 1069/2009”.
- 33.** In regulation 21 (products which fail veterinary checks)—
- (a) in paragraph (3)(b), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EU) No. 1069/2009”; and
- (b) in paragraph (5)(b), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EU) No. 1069/2009”.
- 34.** In regulation 22 (treatment as animal by-products)—
- (a) in paragraph (1), for the words “regulation 26 of the Animal By-Products (Wales) Regulations 2006” substitute “Articles 17 and 18 of Regulation (EU) No. 1069/2009 and Articles 11(2), 12(2) and 14 of Regulation (EU) No. 142/2011”; and
- (b) in paragraph (3), for the words ““regulation 26 of the Animal By-Products (Wales) Regulations 2006” substitute “Articles 17 and 18 of Regulation (EU) No. 1069/2009”.
- 35.** In regulation 24(4) (consignments and products illegally brought in), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EU) No. 1069/2009”.
- 36.** In regulation 43(1)(b) (disposal of returned transit products), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EU) No. 1069/2009”.
- 37.** In Schedule 1(import conditions), in Part VIII, for paragraph 11 substitute—
- “(11) Regulation (EU) No. 1069/2009 and Regulation (EU) No. 142/2011.”.

The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006

38. The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006(10) is amended as follows.

39. In article 2 (interpretation)—

(a) in the definition of “bird by-product”, for the words “Articles 4, 5 or 6 of Regulation (EC) No 1774/2002”, substitute “Articles 8, 9 or 10 of Regulation (EU) No. 1069/2009”; and

(b) for the definition of “Regulation (EC) No. 1774/2002” substitute—

““Regulation (EU) No 1069/2009” means Regulation (EU) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”and

(c) after the definition as inserted by sub-paragraph (b) insert—

““Regulation (EU) No 142/2011” means Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

40. In article 3(6) (licences, notices and designations under this Order), for sub-paragraph (c) substitute—

“(c) the following plants if approved under Article 24 of Regulation (EU) No. 1069/2009—

- (i) incineration plants;
- (ii) co-incineration plants;
- (iii) processing plants;
- (iv) biogas plants;
- (v) composting plants;
- (vi) petfood plants.”.

41. In article 14 (restrictions on the movement of bird by-products)—

(a) for paragraph (2) substitute—

“(2) A veterinary inspector or an inspector acting under the direction of a veterinary inspector may not grant or direct the grant of a licence under sub-paragraph (1) unless it is for a movement of—

- (a) processed animal protein within the meaning of paragraph 5 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 1 of Chapter II of Annex X to that Regulation;
- (b) blood products within the meaning of paragraph 4 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph B of Section 2 of Chapter II of Annex X to that Regulation;
- (c) rendered fats within the meaning of paragraph 8 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph B of Section 3 of Chapter II of Annex X to that Regulation;

(10) S.I. No 2006/3309 (W.299) as amended .

Status: This is the original version (as it was originally made).

- (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
 - (e) hydrolysed protein within the meaning of paragraph 14 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
 - (f) dicalcium phosphate which complies with the requirements of paragraph B of Section 6 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (g) tricalcium phosphate which complies with the requirements of paragraph B of Section 7 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (h) collagen within the meaning of paragraph 11 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 8 of Chapter II of Annex X to that Regulation;
 - (i) egg products which comply with the requirements of paragraph B of Section 9 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (j) processed pet food within the meaning of paragraph 20 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of Chapter II of Annex XIII to that Regulation;
 - (k) raw petfood within the meaning of paragraph 21 of Annex I to Regulation (EU) No. 142/2011 and which complies with Chapter II of Annex XIII;
 - (l) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of Chapter II of Annex XIII to that Regulation;
 - (m) processed manure and processed manure products which comply with the requirements of Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011;
 - (n) game trophies having undergone a complete taxidermy treatment ensuring their preservation at ambient temperatures within the meaning of Chapter VI of Annex XIII to Regulation (EU) No. 142/2011;
 - (o) those by-products which are transported to designated plants within article 3(6) (c) for disposal, treatment, transformation or use which ensures inactivation of the avian influenza virus;
 - (p) those products which are transported to users or collection centres authorised and registered in accordance with Articles 23 of Regulation (EU) No. 142/2011 for the feeding of animals after they have been treated by a method approved by the competent authority which ensures inactivation of the avian influenza virus;
 - (q) untreated feathers or parts of untreated feathers produced from poultry within the meaning of paragraph 30 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph A of Chapter VII of Annex XIII to that Regulation;
 - (r) poultry feathers, feathers from wild game birds or parts of such feathers which have been treated with a steam current or by another method which ensures inactivation of the avian influenza virus.”;
- (b) in paragraph (3), for the words “Annex V to Regulation (EC) No. 1774/2002” substitute “Regulation (EU) No. 1069/2009 and Annex IV to Regulation (EU) No. 142/2011”; and
- (c) in paragraph (4), for the words “Chapter X of Annex II to Regulation (EC) No. 1774/2002” substitute “Chapter III of Annex VIII to Regulation (EU) No. 142/2011”.

The Avian Influenza (H5N1 in Wild Birds) (Wales) Order 2006

42. The Avian Influenza (H5N1 in Wild Birds) (Wales) Order 2006(11) is amended as follows.

43. In article 2 (interpretation)—

(a) in the definition of “bird by-product” for the words “Articles 4, 5 or 6 of Regulation (EC) No. 1774/2002” substitute Articles 8, 9 or 10 of Regulation (EU) No. 1069/2009”; and

(b) for the definition of “Regulation (EC) No. 1774/2002” substitute—

““Regulation (EU) No. 1069/2009” means Regulation (EU) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”and

(c) after the definition as inserted by sub-paragraph (b) insert—

““Regulation (EU) No. 142/2011” means Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

44. In article 13(1)(designation of premises to which things may be moved), for sub-paragraph (c) substitute—

“(c) the following plants if approved under Article 24 of Regulation (EU) No. 1069/2009—

- (i) incineration plants;
- (ii) co-incineration plants;
- (iii) processing plants;
- (iv) biogas plants;
- (v) composting plants;
- (vi) petfood plants.”.

45. In Schedule 1 (measures applicable in respect of a wild bird control area)—

(a) for paragraph 13(2)(restriction on the movement of bird by-products or products derived from bird by-products from premises in a wild bird control area) substitute—

“(2) A veterinary inspector may not grant or direct the grant of a licence under sub-paragraph (1) unless it is for a movement of—

- (a) processed animal protein within the meaning of paragraph 5 of Annex 1 to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 1 of Chapter II of Annex X to that Regulation;
- (b) blood products within the meaning of paragraph 4 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph B of Section 2 of Chapter II of Annex X to that Regulation;
- (c) rendered fats within the meaning of paragraph 8 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph B of Section 3 of Chapter II of Annex X to that Regulation;

(11) S.I. No 2006/3310 (W.300) as amended.

Status: This is the original version (as it was originally made).

- (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
 - (e) hydrolysed protein within the meaning of paragraph 14 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
 - (f) dicalcium phosphate which complies with the requirements of paragraph B of Section 6 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (g) tricalcium phosphate which complies with the requirements of paragraph B of Section 7 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (h) collagen within the meaning of paragraph 11 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of paragraph B of Section 8 of Chapter II of Annex X to that Regulation;
 - (i) egg products which comply with the requirements of paragraph B of Section 9 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
 - (j) processed pet food within the meaning of paragraph 20 of Annex I to Regulation (EU) No. 142/2011 and which complies with the requirements of Chapter II of Annex XIII to that Regulation;
 - (k) raw petfood within the meaning of paragraph 21 of Annex I to Regulation (EU) No. 142/2011 and which complies with Chapter II of Annex XIII;
 - (l) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of Chapter II of Annex XIII to that Regulation;
 - (m) processed manure and processed manure products which comply with the requirements of Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011;
 - (n) game trophies having undergone a complete taxidermy treatment ensuring their preservation at ambient temperatures within the meaning of Chapter VI of Annex XIII to Regulation (EU) No. 142/2011;
 - (o) those by-products which are transported to designated plants within article 13(1)(c), processing plants for disposal, treatment, transformation or use which ensures inactivation of the avian influenza virus;
 - (p) those products which are transported to users or collection centres authorised and registered in accordance with Article 23 of Regulation (EU) No. 142/2011 for the feeding of animals after they have been treated by a method approved by the competent authority which ensures inactivation of the avian influenza virus;
 - (q) untreated feathers or parts of untreated feathers produced from poultry within the meaning of paragraph 30 of Annex I to Regulation (EU) No. 142/2011 and which comply with the requirements of paragraph A of Chapter VII of Annex XIII to that Regulation;
 - (r) poultry feathers, feathers from wild game birds or parts of such feathers which have been treated with a steam current or by another method which ensures inactivation of the avian influenza virus.”;
- (b) in paragraph 13(3), for the words “Annex V to Regulation (EC) No. 1774/2002” substitute “Regulation (EU) No. 1069/2009 and Annex IV to Regulation (EU) No. 142/2011”;
 - (c) in paragraph 13(5), for the words “Chapter X of Annex II to Regulation (EC) No. 1774/2002” substitute “Chapter III of Annex VIII to Regulation (EU) No. 142/2011”;

- (d) in paragraph 14(a), (prohibition on movement of poultry manure) for “1774/2002” substitute “1069/2009 and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”;
- (e) in paragraph 15(a), (prohibition on the spread of poultry manure) for “1774/2002” substitute “1069/2009 and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”.

The Cattle Identification (Wales) Regulations 2007

46. The Cattle Identification (Wales) Regulations 2007⁽¹²⁾ are amended as follows.

47. For paragraph 3(3) of Part 1 of Schedule 3 (lost cattle passports and replacements) substitute—

“(3) If the Welsh Ministers do not provide a replacement, the animal to which it relates must not be moved off a holding except (under the authority of a licence granted by the Welsh Ministers) to—

- (a) to a plant approved under Article 24(1)(a), (b), (c) or (h) of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation); or
- (b) a registered collection centre which complies with Section 1 of Chapter II of Annex VI of Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.”.

The Animal Gatherings (Wales) Order 2010

48. The Animal Gatherings (Wales) Order 2010⁽¹³⁾ is amended as follows.

49. In regulation 8(2) (destruction, treatment or disposal of feeding stuffs and other materials), for the words “Animal By-Products (Wales) Regulations 2006” substitute “Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation)”.

The Environmental Permitting (Wales and Wales) Regulations 2010

50. The Environmental Permitting (Wales and Wales) Regulations 2010⁽¹⁴⁾ are amended insofar as they relate to Wales as follows.

51. In regulation 2(1) (interpretation: general), after the definition of “regulated facility” insert—
““Regulation (EU) No 1069/2009” means Regulation (EU) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”.

(12) S.I. 2007/842 (W.74).

(13) S.I. No 2010/900 (W.93).

(14) S.I. 2010/675, amended by S.I. 2010/2172; there are other amending instruments but none is relevant.

52. In paragraph 1 of Section 5.1 of Chapter 5 of Part 2 of Schedule 1 (interpretation of Section 5.1), in the definition of “excluded plant”, for sub-paragraph (a)(vii) substitute—

“(a) (vii) animal carcasses as regulated by Regulation (EU) No 1069/2009;”.

53. In the table in paragraph T13(2) of Section 2 of Chapter 3 of Part 1 of Schedule 3 (treatment of waste), in the third entry (200199) for the words “the Animal By-Products Regulations” substitute “Regulation (EU) No. 1069/2009”.

54. In paragraph T22 of Section 2 of Chapter 3 of Part 1 of Schedule 3 (treatment of animal by-product waste at a collection centre), for sub-paragraph (4) substitute—

“(4) In this paragraph—

- (a) “animal by-product” has the same meaning in Article 3(1) of Regulation (EU) No. 1069/2009;
- (b) “collection centre” has the same meaning in paragraph 53 of Annex 1 to Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.”.

The Transmissible Spongiform Encephalopathies (Wales) Regulations 2008

55. The Transmissible Spongiform Encephalopathies (Wales) Regulations 2008(15) are amended as follows.

56. In regulation 2(1) (interpretation), insert before the definition of “slaughterhouse”—

““Regulation (EU) No 1069/2009” means Regulation (EU) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”.

57. In regulation 4(2), (exception for research) for the words “Regulation (EC) No 1774/2002” substitute “Regulation (EU) No 1069/2009”.

58. In paragraph 3(2)(d) of Schedule 6 (feeding stuffs), for the words “the Animal By-Products (Wales) Regulations 2006” substitute “Regulation (EU) No 1069/2009”.

59. In paragraph 18(1)(a) of Schedule 6 (feeding stuffs), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EU) No. 1069/2009”.

The Waste (England and Wales) Regulations 2011

60. The Waste (England and Wales) Regulations 2011, on coming into force, are amended insofar as they relate to Wales as follows.

61. In Schedule 3 (amendments to the Environmental Permitting (Wales and Wales) Regulations 2010, in paragraph 8(a), for paragraph (iii) substitute—

- (iii) in the third entry (200199), omit the words “but excluding foods covered by Regulation (EU) No. 1069/2009;”.

(15) S.I. 2008/3154 (W.282).

SCHEDULE 3

Regulation 29

Revocations

The following instruments are revoked to the extent specified.

<i>Column 1</i> <i>Regulations revoked</i>	<i>Column 2</i> <i>References</i>	<i>Column 3</i> <i>Extent of revocation</i>
The Animal By-Products (Identification) Regulations 1995	S.I. 1995/614	In Regulation 2(1), the definition of “the 2003 Regulations”, in so far as it applies to Wales Regulation 3, in so far as it applies to Wales
The Bovine Offal (Prohibition) (England, Wales, and Scotland) (Revocation) Regulations 1995	S.I. 1995/1955	Regulation 3, in so far as it applies to Wales
The Products of Animal Origin (Import and Export) Regulations 1996	S.I. 1996/3124	In regulation 1(2), the definition of “Directive 90/667” In paragraph 3 of Schedule 1, the entry in respect of “Council Directive 90/667/EEC ”
The Animal By-Products (Wales) Regulations 2006	S.I. 2006/1293 (W.127)	The whole Regulations
The Waste Management (England and Wales) Regulations 2006	S.I. 2006/937	Regulation 5(4), in so far as it applies to Wales
The Products of Animal Origin (Third Country Imports) (Wales) Regulations 2006	S.I. 2006/376 (W.36)	In regulation 2(1), the definition of “Regulation (EC) No 1774/2002 ” Regulations 29 to 33 In Part VIII of Schedule 1, paragraphs 12 to 14
The Avian Influenza (H5N1) (Miscellaneous Amendments) (Wales) Order 2007	S.I. 2007/3375 (W.300)	The whole Regulations
The Environmental Permitting (England and Wales) (Amendment) Regulations 2010	S.I. No 2010/675	In regulation 2(1), paragraph (a) in relation to the definition of “the Animal By-Products Regulations” In Section 6.8 of Chapter 6 of Schedule 3, paragraph 1(g) and (i)
The Transmissible Spongiform Encephalopathies (Wales) Regulations 2008	S.I. 2008/3154 (W.282)	In regulation 2(1), the definition of “Regulation (EC)

Status: This is the original version (as it was originally made).

<i>Column 1</i> <i>Regulations revoked</i>	<i>Column 2</i> <i>References</i>	<i>Column 3</i> <i>Extent of revocation</i>
The Zoonoses and Animal By-Products (Fees) (Wales) Regulations 2008	S.I. No 2008/2716 (W.245)	<p>No 1774/2002” In Schedule 1, paragraph (b)</p> <p>In Schedule 6, paragraphs 1(2) and (3), 2(5), 3 and 18</p> <p>In regulation 2, the definition of “the 2006 Regulations”</p> <p>In Regulation 3, the words “Regulation 21 of the 2006 Regulations or”, wherever they appear</p>