
SCOTTISH STATUTORY INSTRUMENTS

2003 No. 411

The Animal By-Products (Scotland) Regulations 2003

PART 2

**Collection, transportation, storage, handling,
processing and disposal of animal by-products**

Category 1 material

4.—(1) Any person who possesses or has control over any Category 1 material and who fails to comply with Article 4(2) or Article 4(3) of the Community Regulation shall be guilty of an offence.

(2) For the purposes of Article 4(2)(b) of the Community Regulation, the material may be processed using any of the processing methods 1 to 5.

(3) This regulation shall not apply in relation to material referred to in Article 4(1)(e) of the Community Regulation (catering waste from means of transport operating from outside the Community).

Category 2 material

5.—(1) Any person who possesses or has control over any Category 2 material and who fails to comply with Article 5(2), Article 5(3) or Article 5(4) (other than the provision in Article 5(4) relating to export) of the Community Regulation shall be guilty of an offence.

(2) For the purposes of Article 5(2)(b) of the Community Regulation, the material may be processed using any of the processing methods 1 to 5.

(3) For the purposes of Article 5(2)(e) of the Community Regulation, the animal by-products specified in that sub-paragraph may be applied to land, provided that the Scottish Ministers have not imposed any restrictions relating to animal health in relation to those by-products.

Category 3 material

6. Any person who possesses or has control over any Category 3 material and who fails to comply with Article 6(2) or Article 6(3) of the Community Regulation shall be guilty of an offence.

Mixing mammalian and non-mammalian animal by-products

7. Where mammalian by-products and non-mammalian by-products are mixed, the mixture shall be regarded as mammalian by-products.

Collection, transportation and storage

8.—(1) Any person who fails to comply with Article 7(1), 7(2) or 7(5) of the Community Regulation shall be guilty of an offence.

(2) For the purposes of paragraph (1), if different categories of animal by-products are transported on one vehicle but in different containers or compartments, and complete separation of the different kinds of by-products cannot be guaranteed, the by-products transported shall be treated as the highest risk category of the by-products transported.

(3) In accordance with Article 7(6) of the Community Regulation, the provisions of Article 7 shall not apply in relation to manure transported within the United Kingdom.