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STATUTORY INSTRUMENTS

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**1996 No. 3000**

**AGRICULTURE**

**The Bovine Products (Despatch to other Member States) (Amendment) Regulations 1996**

*Made* - - - - 29th November 1996  
*Laid before Parliament* 2nd December 1996  
*Coming into force* - - 24th December 1996

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

**Title and commencement**

1. These Regulations may be cited as the Bovine Products (Despatch To Other Member States) (Amendment) Regulations 1996 and shall come into force on 24th December 1996.

**Amendment**

2.—(1) The Bovine Products (Despatch to other Member States) Regulations 1996<sup>(3)</sup> shall be amended in accordance with the following provisions of this regulation.

(2) After regulation 3 there shall be inserted—

**“Production of gelatin**

3A.—(1) No person shall produce any gelatin in any establishment unless that establishment is registered by the Minister under this regulation.

(2) On an application made to him in writing by the operator of the establishment to which the application relates, the Minister shall register that establishment for the production of gelatin where he is satisfied that—

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(1) S.I.1972/1811.  
(2) 1972 c. 68.  
(3) S.I. 1996/2265.

- (a) no raw material from a bovine animal slaughtered in the United Kingdom is used in such production; or
- (b) such production is in accordance with the appropriate conditions set out in the Annex to Commission Decision 96/239/EC on emergency measures to protect against bovine spongiform encephalopathy<sup>(4)</sup>, as amended by Commission Decision 96/362/EC<sup>(5)</sup>.

(3) The Minister shall remove an establishment from the register where he is no longer satisfied that one of the conditions set out in paragraph (2) above is met.

(4) This regulation applies only to gelatin liable to enter the human food or animal feed chains or destined for use in cosmetic, medical or pharmaceutical products.

### **Use of gelatin**

**3B** Any person who uses any gelatin produced in the United Kingdom in the production of any product which is—

- (a) liable to enter the human food chain or animal feed chain; or
- (b) destined for use as or in any cosmetic, medical or pharmaceutical product, shall ensure that the gelatin used was produced in an establishment which was registered under regulation 3A above at the time that gelatin was manufactured, or, in the case of gelatin produced before 24th December 1996, which complied with the conditions for registration at the time of manufacture and has subsequently been registered.”.

(3) Regulation 5(2) shall be replaced by—

“(2) An inspector shall, on producing, if required to do so, some duly authenticated document showing his authority, have the right at all reasonable hours to enter any establishment approved for the purposes of regulation 3 above or registered under regulation 3A above in order to ascertain whether the requirements of those regulations are satisfied in that establishment.”.

(4) In regulation 5(3)(a), after “regulation 3 above” there shall be inserted “or registered under regulation 3A above”.

27th November 1996

*Angela Browning*  
Parliamentary Secretary, Ministry of Agriculture,  
Fisheries and Food

Scottish Office  
29th November 1996

*Lindsay*  
Parliamentary Under Secretary of State,

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(4) OJNo. L78, 28.3.96, p.47.

(5) OJ No. L139, 12.6.96, p.17.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Bovine Products (Despatch to other Member States) Regulations 1996. Those Regulations implemented in part Commission Decision [96/239/EC](#) on emergency measures to protect against Bovine Spongiform Encephalopathy, as amended by Commission Decision [96/362/EC](#), in relation to the despatch to other member States of meat and other products from bovine animals slaughtered outside the United Kingdom.

These Regulations additionally make provision for the control of the production of gelatin from bovine animals.

A Compliance Cost Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Animal Health (BSE) Division of the Ministry of Agriculture, Fisheries and Food, Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF.