

SCHEDULE 2

Regulation 27

Consequential Amendments

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

1. In regulation 2 of the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991(1)—

- (a) in paragraph (1)(i), for “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 Foot-and-Mouth Disease (England) Order 2006

2.—(1) The Foot-and-Mouth Disease (England) Order 2006(2) is amended as follows.

(2) In article 2(1), after the definition of “raw milk” insert—

““Regulation (EC) No. 1069/2009” 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);

“Regulation (EU) No. 142/2011” means Commission 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;”.

(3) In article 26, in paragraph (2)(b) for “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 (EC) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”.

(4) In article 27(2)(c) for “Regulation (EC) No. 1774/2002, as amended” substitute “Regulation (EC) No. 1069/2009”.

(5) In Schedule 5—

- (a) in paragraph 20(4), for “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 (EC) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”; and
- (b) in paragraph 33(4), for “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 (EC) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”.

(6) In Schedule 6—

(1) S.I. 1991/1624 amended by S.I. 2006/937; there are other amending instruments but none is relevant.
(2) S.I. 2006/182, amended by S.I. 2009/2713; there are other amending instruments but none is relevant.

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- (a) in paragraph 2, for “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 (EC) No. 1069/2009 and point 28(c) and (d) of Annex I to Regulation (EU) No. 142/2011”;
- (b) in paragraph 3, for “article 20 of and point A(1) of Chapter VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Article 36 of Regulation (EC) No. 1069/2009 and Article 24(4) of Regulation (EU) No. 142/2011”;
- (c) in paragraph 5, for “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, for “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, for “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, for “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) (England) Regulations 2006

3. For paragraph 18(4) of the Schedule to the Foot-and-Mouth Disease (Control of Vaccination) (England) Regulations 2006(3) substitute—

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

- (a) Articles 15 and 32 of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council; and
- (b) Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council.”.

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

4.—(1) The Avian Influenza (H5N1 in Poultry) (England) Order 2006(4) is amended as follows.

(2) In article 2—

- (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 (EC) No. 1069/2009”;
- (b) for the definition of “Regulation (EC) No. 1774/2002” substitute—

““Regulation (EC) No 1069/2009” 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);”;
- (c) after the definition inserted by sub-paragraph (b) insert—

““Regulation (EU) No 142/2011” means Commission 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

(3) S.I. 2006/183; to which there are amendments not relevant to these Regulations.

(4) S.I. 2006/3247.

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;”.

(3) In article 3(6), for sub-paragraph (c) substitute—

“(c) the following plants if approved under Article 24 of Regulation [\(EC\) No. 1069/2009](#)—

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

(4) In article 14—

(a) for paragraph (2) substitute—

“(2) But a veterinary inspector or an inspector acting under the direction of a veterinary inspector may licence the movement of any of the following bird by-products—

- (a) processed animal protein within the meaning of paragraph 5 of Annex I to Regulation (EU) No. 142/2011 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 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 which comply with the requirements of paragraph B of Section 3 of Chapter II of Annex X to that Regulation;
- (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation (EU) No. 142/2011 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 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 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 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 which complies with Chapter II of Annex XIII;

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- (l) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No. 142/2011 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 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 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 “Annex V to Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009 and Annex IV to Regulation (EU) No. 142/2011”; and
- (c) in paragraph (4), for “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) (England) Order 2006

5.—(1) The Avian Influenza (H5N1 in Wild Birds) (England) Order 2006(5) is amended as follows.

- (2) In article 2—
 - (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 (EC) No. 1069/2009”;
 - (b) for the definition of “Regulation (EC) No. 1774/2002” substitute—

““Regulation (EC) No. 1069/2009” 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);”;

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

““Regulation (EU) No. 142/2011” means Commission 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

(5) S.I. 2006/3249.

implementing Council [Directive 97/78/EC](#) as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

(3) In article 13(1), for sub-paragraph (c) substitute—

“(c) the following plants if approved under Article 24 of Regulation [\(EC\) No. 1069/2009](#)—

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

(4) In Schedule 1—

(a) in paragraph 13, for sub-paragraph (2) 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](#) 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](#) 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](#) which comply with the requirements of paragraph B of Section 3 of Chapter II of Annex X to that Regulation;
- (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation [\(EU\) No. 142/2011](#) 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](#) 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](#) 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 1 to Regulation [\(EU\) No. 142/2011](#) which complies with the requirements of Chapter II of Annex XIII to that Regulation;
- (k) raw pet food within the meaning of paragraph 21 of Annex I to Regulation [\(EU\) No. 142/2011](#) which complies with Chapter II of Annex XIII;

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- (l) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No. 142/2011 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 1 to Regulation (EU) No. 142/2011 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 “Annex V to Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009 and Annex IV to Regulation (EU) No. 142/2011”;
- (c) in paragraph 13(5), for “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), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009 and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”;
- (e) in paragraph 15(a), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009 and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”.

The Cattle Identification Regulations 2007

6. For paragraph 3(3) of Schedule 3 to the Cattle Identification Regulations 2007(6), substitute—
- “(3) If the Secretary of State does 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 Secretary of State) to—
- (a) 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; or
 - (b) a registered collection centre which complies with Section 1 of Chapter II of Annex VI of Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council”.

(6) [S.I. 2007/529](#) to which there are amendments not relevant to these Regulations.

The Legislative and Regulatory Reform (Regulatory Functions) Order 2007

7. In Part 2 of the Schedule to the Legislative and Regulatory Reform (Regulatory Functions) Order 2007(7), under the cross-heading “animal health and welfare”—

- (a) omit the entry “Animal By-Products Regulations 2005”; and
- (b) after the entry “Veterinary Medicines Regulations 2008” insert “Animal By-Products (Enforcement) (England) Regulations 2013”.

The Animal Gatherings Order 2010

8. In article 8(2) of the Animal Gatherings Order 2010(8), for “Animal By-Products Regulations 2005” substitute “Regulation (EC) No. 1069/2009 of the European Parliament and of the Council”.

The Environmental Permitting (England and Wales) Regulations 2010

9.—(1) The Environmental Permitting (England and Wales) Regulations 2010(9) are amended as follows.

(2) In regulation 2(1)—

- (a) omit the definition “the Animal By-Products Regulations”; and
- (b) after the definition of “regulated facility” insert—

““Regulation (EC) No 1069/2009” 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);”.

(3) In Section 6.8 of Chapter 6 of Schedule 1, omit paragraph 1(g) and (i).

The Transmissible Spongiform Encephalopathies (England) Regulations 2010

10.—(1) The Transmissible Spongiform Encephalopathies (England) Regulations 2010(10) are amended as follows.

(2) In regulation 2(1)—

- (a) omit the definition of “Regulation (EC) No. 1774/2002”; and
- (b) insert after the definition of “Regulation (EC) No. 882/2004”—

““Regulation (EC) No 1069/2009” 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);”.

(3) In regulation 4(2), for “Regulation (EC) No 1774/2002” substitute “Regulation (EC) No 1069/2009”.

(4) In Schedule 1, omit paragraph (b).

(5) In paragraph 14(2)(b)(i) of Schedule 2, for “the Animal By-Products Regulations 2005” substitute “Regulation (EC) No 1069/2009”.

(6) In Schedule 6—

- (a) omit paragraphs 1(2) and (3), 2(5) and 3;

(7) S.I. 2007/3544, amended by S.I. 2009/ 2981; there are other amending instruments but none is relevant.

(8) S.I. 2010/460.

(9) S.I. 2010/675 amended by S.I. 2010/2172, 2011/988 and 2013/390; there are other amending instruments but none is relevant.

(10) S.I. 2010/801, to which there are amendments not relevant to these Regulations.

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- (b) in paragraph 18(2), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”; and
- (c) omit paragraph 19.