

SCHEDULE 8

Regulation 5

RESTRICTIONS ON PLACING ON THE MARKET AND EXPORT

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Explanatory Note

Placing on the market or export to third countries of bovine products

1.—(1) It is an offence for any person to place on the market or to export (or offer to export) to third countries, any products consisting of or incorporating any material (other than milk) derived from a bovine animal born or reared within the United Kingdom before 1st August 1996.

(2) The prohibition in sub-paragraph (1) does not apply to the hides of bovine animals born or reared within the United Kingdom before 1st August 1996 (including hides from bovine animals referred to in the third indent of point 1(a) of Annex VII to the EU TSE Regulation) that have been used for leather production in accordance with Article 1(3) of Commission Decision 2007/411/EC(1).

(3) For the purposes of this paragraph, a bovine animal is deemed to have been born or reared in the United Kingdom before 1st August 1996 unless records held by the Department or any cattle passport in relation to that animal show either that—

- (a) it was born in the United Kingdom on or after 1st August 1996; or
- (b) it first entered the United Kingdom on or after 1st August 1996.

Placing on the market or export to third countries of bovine animals

2.—(1) It is an offence for any person to place on the market or to export (or offer to export) to third countries in accordance with Part II of Chapter A of Annex VIII to the EU TSE Regulation bovine animals born or reared in the United Kingdom before 1st August 1996.

(2) The prohibition in sub-paragraph (1) does not apply to the placing on the market of such animals within the United Kingdom.

(3) For the purposes of this paragraph, a bovine animal is deemed to have been born or reared in the United Kingdom before 1st August 1996 unless records held by the Department or any cattle passport in relation to that animal show either that—

- (a) it was born in the United Kingdom on or after 1st August 1996; or
- (b) it first entered the United Kingdom on or after 1st August 1996.

(1) O.J. No. L155,15.6.2007, p.74

Export to a member State of heads and un-split carcasses

3. Subject to point 10(2) of Annex V to the EU TSE Regulation, it is an offence for any person to export (or offer to export) any head or un-split carcase containing specified risk material to a member State in the absence of an agreement of the kind specified in point 10(1) of that Annex.

Export to third countries of products containing specified risk material

4. In accordance with point 10(3) of Annex V to the EU TSE Regulation, it is an offence for any person to export (or offer to export) heads or fresh meat of bovine, ovine or caprine animals containing specified risk material to third countries.

Further offences relating to placing on the market and export

5. In addition to the offences specified in paragraphs 1 to 4, the following provisions of these Regulations specify offences relating to placing on the market and export—

- (a) paragraph 8 of Schedule 3;
- (b) paragraph 8(2)(b) and (7) of Schedule 4;
- (c) paragraph 10(7) of Schedule 4;
- (d) paragraph 23 of Schedule 4; and
- (e) paragraph 11(1) and (3) of Part II of Schedule 6.