

## SCHEDULE 2

Regulation 27

### CONSEQUENTIAL AMENDMENTS

#### **The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations Northern Ireland 1999**

1. The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations Northern Ireland 1999<sup>(1)</sup> are amended as follows—

- (a) In regulation 1 (citation, commencement and interpretation) 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); and”

- (b) In regulation 2 (exemption from registration) in paragraph (1)(j), for the words “Article 7(1) or 7(2)” substitute “Article 21(1) to (3)”;

#### **The Controlled Waste Regulations (Northern Ireland) 2002**

2. The Controlled Waste Regulations (Northern Ireland) 2002<sup>(2)</sup> are amended as follows.

3. In regulation 8 (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)”;

- (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 (Northern Ireland) 2003**

4. The Waste Management Licensing Regulations (Northern Ireland) 2003<sup>(3)</sup> are amended as follows.

5. In regulation 1(3) (citation, commencement and interpretation), for the definition of “the Community Regulation” substitute—

- (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.

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(1) S.R. 1999 No. 362 as amended by S.R. 2006 No. 280

(2) S.R. 2002 No. 248 as last amended by S.R. 2006, No. 280

(3) S.R. 2003 No. 493 as last amended by S.R. 2006 No. 280

**The Animal By-Products (Identification) Regulations (Northern Ireland) 1999**

6. The Animal By-Products (Identification) Regulations (Northern Ireland) 1999<sup>(4)</sup> are amended as follows.

7. In regulation 2 (interpretation)—

(a) Omit the definition—

““the 2003 Regulations” means the Animal By-Products Regulations (Northern Ireland) 2003;”;

(b) 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;”;

(c) 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;”;

(d) 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);”;

8. For regulation 4(b) (scope) substitute—

“(b) affect the operation of the Animal By-Products (Enforcement) Regulations (Northern Ireland) 2011<sup>(5)</sup> or any order made, or having effect, under the Diseases of Animals (Northern Ireland) Order 1981<sup>(6)</sup>.”.

9. In regulation 5 (exemptions)—

(a) in paragraph (2)(d), for the words “the 2003 Regulations” substitute “the Community Regulation”; and

(b) in paragraph (2)(e), for the words “the 2003 Regulations” substitute “the Community Regulation”.

10. 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”.

**The Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998**

11. The Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998<sup>(7)</sup> are amended as follows.

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

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

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

<sup>(4)</sup> S.R. 1999 No. 418, as last amended by S.R. 2003 No. 504

<sup>(5)</sup> S.R. 2011 No. 124

<sup>(6)</sup> S.I. 1981/1115 (N.I. 22) as amended

<sup>(7)</sup> S.R. 1998 No. 45 partially disappplied by S.R. 2007 No. 199

““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 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.”.

13. In regulation 9 (exports), after each reference to “Directive 92/118” insert “,Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”.

14. In regulation 10(1) (registration of certain establishments which produce, process or store products of animal origin)—

- (a) after each reference to “Directive 92/118” insert “,Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”; and
- (b) in sub-paragraph (a), for “15 of Schedule 3, under the Animal By-Products Regulations (Northern Ireland) 1993” substitute “ 16 of Schedule 3”.

15. In regulation 11 (notification of certain establishments which supply or store products of animal origin)—

- (a) after each reference to “Directive 92/118” insert “Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”; and
- (b) in paragraph (1), for “15 of Schedule 3, under the Animal By-Products Regulations (Northern Ireland) 2003” substitute “ 16 of Schedule 3”.

16. In Schedule 3 (directives to be complied with for intra-community trade)—

- (a) at the end of the title to paragraph 12, insert “and also not subject to Regulation (EC) No. 1069/2009 and Regulation (EU) No. 142/2011”; and
- (b) after paragraph 15 (wild game meat), insert—

#### **“Animal By-Products**

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

### **The Foot-and-Mouth Disease Regulations (Northern Ireland) 2006**

17. The Foot-and-Mouth Disease Regulations (Northern Ireland) 2006<sup>(8)</sup> are amended as follows.

18. In regulation 2(1) (interpretation) 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 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

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(8) S.R. 2006 No. 42

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

19. In regulation 25 (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 [\(EC\) No. 1069/2009](#) and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”.

20. In article 26(2)(c) (slaughter: isolation of things liable to spread disease) for “Regulation [\(EC\) No. 1774/2002](#), as amended” substitute “Regulation [\(EC\) No. 1069/2009](#)”.

21. In Schedule 5 (measures applicable in respect of protection zones and surveillance zones)—

- (a) in paragraph 11(4) (transport, treatment and spreading of dung, manure or slurry produced in a protection zone) of Part II, for the words “point 5 of Section II in Part A 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 to Regulation (EU) No. 142/2011”; and
- (b) in paragraph 8(4) (transport, treatment and spreading of dung, manure, slurry and litter produced in a surveillance zone) of Part III, for the words “point 5 of Section II in Part A 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 to Regulation (EU) No. 142/2011”.

22. In Part I of Schedule 6 (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 [\(EC\) 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 of Annex 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 (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) Regulations (Northern Ireland) 2006**

23. The Foot-and-Mouth Disease (Control of Vaccination) Regulations Northern Ireland 2006<sup>(9)</sup> are amended as follows.

24. In Part III of the Schedule (measures applicable in respect of a vaccination zone), in paragraph 18 (transport, treatment and distribution of dung, manure and slurry), 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) 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 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 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) Regulations (Northern Ireland) 2006**

25. The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006<sup>(10)</sup> are amended as follows.

26. In Part 1 of Schedule 2 (Legislation in relation to intra-community trade), for paragraph 9 (animal waste) substitute—

#### **“Animal by-products**

7.—(1) 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).

(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) Regulations (Northern Ireland) 2007**

27. The Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007<sup>(11)</sup> are amended as follows.

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(9) S.R. 2006 No. 43

(10) S.R. 2006 No. 401 as amended by S.R. 2007 No. 59, S.R. 2007 No. 224, S.R. 2007 No. 327, S.R. 2008 No. 53, S.R. 2009 No. 86, S.R. 2010 No. 380 and S.R. 2011 No. 27

(11) S.R. 2007 No. 314 as amended by S.R. 2007 No. 314, S.R. 2009 No. 130, S.R. 2009 No. 323, and S.R. 2010 No. 417

28. In regulation 2(1) (interpretation), after the definition of “Regulation (EC) No. 136/2004” insert—

““Regulation (EU) 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 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;”.

29. 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 (EC) No. 1069/2009 and Articles 11(2) and 12(2) of Regulation (EU) No. 142/2011 apply”;

(b) in paragraph (4) for the words “Regulation (EC) No. 1774/2002 and the Animal By-Products Regulations 2005” substitute “Regulation (EC) No. 1069/2009 and the Animal By-Products (Enforcement) Regulations (Northern Ireland) 2011”; and

(c) in paragraph (5)(b) for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

30. In regulation 5(1)(a) (enforcement authorities and exchange of information), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

31. In regulation 6(1)(a) (appointment of official veterinary surgeons and authorised officers), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

32. In regulation 21 (products which fail veterinary checks)—

(a) in paragraph (3)(b), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”; and

(b) in paragraph (5)(b), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

33. In regulation 22 (treatment as animal by-products)—

(a) in paragraph (1), for the words “regulation 26 of the Animal By-Products Regulations (Northern Ireland) 2003” substitute “Articles 17 and 18 of Regulation (EC) 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 Regulations (Northern Ireland) 200” substitute “Articles 17 and 18 of Regulation (EC) No. 1069/2009”.

34. In regulation 24(4) (consignments and products illegally brought in), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

35. In regulation 43(1)(b) (disposal of returned transit products), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

36. In Schedule 1(import conditions), in Part VIII (miscellaneous products) under Health Certification Requirements, for paragraph 3 substitute—

“(3) Regulation (EC) No. 1069/2009 and Regulation (EU) No. 142/2011.”.



### **The Avian Influenza (H5N1 in Poultry) Regulations (Northern Ireland) 2007**

37. The Avian Influenza (H5N1 in Poultry) Regulations (Northern Ireland) 2007(12) are amended as follows.

38. In regulation 2(1) (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 (EC) No. 1069/2009”; and

(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 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;”.

39. In regulation 3(7) (licences, notices, designations and declarations), for sub-paragraph (b) substitute—

“(b) 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.”.

40. In regulation 15 (restrictions on the movement of bird by-products)—

(a) for paragraph (2) substitute—

“(2) The Department 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 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;

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(12) S.R. 2007 No.207 as amended by S.R. 2008 No. 197

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- (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(7) (b) 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 Department 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 (EC) 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) Regulations (Northern Ireland) 2007**

41. The Avian Influenza (H5N1 in Wild Birds) Regulations (Northern Ireland) 2007<sup>(13)</sup> are amended as follows.

42. In regulation 2(1) (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 (EC) No. 1069/2009”; and

(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 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;”.

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

“(b) 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.”.

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

(a) for paragraph 1(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) The Department 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;

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<sup>(13)</sup> S.R. 2007 No. 208 as amended by S.R. 2008 No. 197

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- (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)(b), 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 Department 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 1(3), for the words “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 1(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 Part V of Schedule 1 (other measures)—
  - (i) in paragraph 1(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”;
  - (ii) in paragraph 2(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 Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2010**

45. The Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2010(14) are amended as follows.

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

““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);”.

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

48. In paragraph 15(2)(b)(i) of Part I of Schedule 2 (TSE sampling of sheep, goats and deer), for the words “ the Animal By-Products Regulations 2003” substitute “Regulation (EC) No. 1069/2009”.

49. In Part II of Schedule 6 (feeding stuffs), in paragraph 11(2) (export of processed animal protein to third countries), for the words “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.