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SCOTTISH STATUTORY INSTRUMENTS

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**2000 No. 300**

**ANIMALS**

**ANIMAL HEALTH**

**The Export of Pigs, Porcine Material and  
Bovine Animals (Scotland) Regulations 2000**

<i>Made</i>	- - - -	<i>25th August 2000</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>30th August 2000</i>
<i>Coming into force</i>	- -	<i>26th August 2000</i>

The Scottish Ministers, in exercise of the powers conferred on them by section 2(2) of the European Communities Act 1972<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Export of Pigs, Porcine Material and Bovine Animals (Scotland) Regulations 2000 and shall come into force on 26th August 2000.

(2) These Regulations extend to Scotland only.

**Amendment of the Pigs (Records, Identification and Movement) Order 1995**

2.—(1) The Pigs (Records, Identification and Movement) Order 1995<sup>(2)</sup> is amended in accordance with the following paragraphs of this regulation.

(2) In paragraph (1) of article 8 (restriction on movement of pigs within 20 days of a previous movement) the words “and to the provisions of article 8A” shall be inserted after the word ‘article’.

(3) Article 8(2)(c) shall be omitted.

(4) The following article shall be inserted after article 8—

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(1) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3). The functions conferred on a Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) S.I. 1995/11, as amended by S.I. 1995/2922.

### **“Restrictions on movement of pigs for export**

**8A.**—(1) Whenever any pig has been moved to any premises (other than a collection centre), it shall not be lawful to move any pig from those premises for direct export or to move any pig to a collecting centre for export from there before the expiry of a period of 30 days from the day on which the first pig referred to was delivered to those premises.”.

### **Amendment of the Animals and Animal Products (Import and Export) (Scotland) Regulations 2000**

**3.**—(1) The Animals and Animal Products (Import and Export) (Scotland) Regulations 2000(3) are amended in accordance with the following paragraphs of this Regulation.

(2) In paragraph 1 of Part I of Schedule 3—

(a) after the entry relating to Council Directive [98/99/EC](#) there shall be added the following entry—

“Directive [2000/20/EC](#) of the European Parliament and of the Council (O.J. L 163, 4.7.00, p.35);”

(b) after the entry relating to Commission Decision [99/579/EC](#) there shall be added the following entry—

“Commission Decision [2000/528/EC](#) (O.J. L 214, 25.8.00, p.42), and as read with the European international instruments;” and

(c) there shall be inserted after sub-paragraph (f)—

“(g) The official health certificate accompanying all pigs exported to Scotland to other member states must contain the statement: “Animals in accordance with Commission Decision [2000/528/EC](#) of 24 August 2000 concerning certain protection measures relating to Classical Swine Fever in the United Kingdom and repealing Decision [2000/515/EC](#).”.????”

(3) For paragraph 5 of Part I of Schedule 3 there shall be substituted the following:—

“**5.** Council Directive [90/429/EEC](#) laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (O.J. No. L 224, 18.8.90, p.62), Commission Decision [99/608/EC](#) (O.J. No. L 242, 14.9.99, p.20) and Commission Decision [2000/528/EC](#) (O.J. L 214, 25.8.00, p.42), as read with the European international instruments.

Relevant provisions: Articles 3, 4.1, 4.2 and 6.1.

(a) The official health certification accompanying all porcine semen imported into Scotland from any other member State must state that the semen was collected from boars “on a collection centre which only contains animals that have not been vaccinated against Aujeszky’s disease and which have reacted negatively to the serum neutralisation test or to the ELISA test for Aujeszky’s disease, in accordance with the provisions of Council Directive [90/429/EEC](#)” and paragraph 13(b)(ii) of the model health certificate provided in Annex D of Council Directive [90/429/EEC](#) must be deleted in all cases.

(b) The official health certificate accompanying all porcine semen exported from Scotland to other member states must contain the statement: “Semen in accordance with Commission Decision [2000/528/EC](#) of 24 August 2000 concerning certain protection measures relating to Classical Swine Fever in the United Kingdom and repealing Decision [2000/515/EC](#).”.

(4) In paragraph 10 of Part I of Schedule 3

(a) after the entry relating to Commission Decision [95/483/EC](#) there shall be added the following entry—

“Commission Decision [2000/528/EC](#) (O.J. L 214, 25.8.00, p.42),”

(b) there shall be inserted after sub-paragraph (c)—

“(d) Embryos/ovas (\*) in accordance with Commission Decision [2000/528/EC](#) of 24 August 2000 concerning protection measures relating to Classical Swine Fever in the United Kingdom and repealing Decision [2000/515/EC](#).

\* Delete as appropriate.”.

St Andrew's House,Edinburgh  
25th August 2000

*DONALD C DEWAR*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

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

These Regulations, which extend to Scotland only, implement Commission Decision [2000/528/EC](#) concerning certain protection measures relating to Classical Swine Fever in the United Kingdom and repealing Decision [2000/515/EC](#) (O.J. L 214, 25.8.00, p.42) (“the Commission Decision”).

The Regulations amend the Pigs (Records, Identification and Movement) Order 1995 (S.I. [1995/11](#)) by introducing a restriction on movement of pigs from any premises for export if any pigs have been moved to those premises during the previous period of 30 days (regulation 2).

The Regulations also make consequential amendments to the Animals and Animal Products (Imports and Export) (Scotland) Regulations 2000 (S.S.I. [2000/216](#)) (“the principal Regulations”) in relation to the requirements for health certificates accompanying pigs or porcine semen, ova or embryos which are exported directly from Scotland to other Member States.

The Regulations also insert a reference to Directive [2000/20/EC](#) of the European Parliament and of the Council (O.J. L 163, 4.7.00, p.35) into paragraph 1 of Part I of Schedule 3 to the principal Regulations as it has been published since the principal Regulations were made. Directive [2000/20/EC](#) introduces transitional provisions in relation to testing requirements for bovine animals under Council Directive [64/432/EEC](#) on health problems affecting intra-Community trade in bovine animals and swine as replaced by the Annex to Council Directive [97/12/EC](#) (O.J. L 109, 25.4.97, p.1).