

2001 No. 3

FOOD

**The Specified Risk Material Amendment (Scotland)
Regulations 2001**

<i>Made</i>	<i>9th January 2001</i>
<i>Laid before the Scottish Parliament</i>	<i>9th January 2001</i>
<i>Coming into force</i>	<i>10th January 2001</i>

The Scottish Ministers, in exercise of the powers conferred by sections 16(1)(a), (b), (c), (d) and (f), (2)(a) and (3), 17(1), 19(1)(a), 26 and 48(1) of and paragraphs 2(1), 3(1), 5 and 6(1)(a) of Schedule 1 to the Food Safety Act 1990^(a) and of all other powers enabling them in that behalf, having had regard in accordance with section 48(4A)^(b) of that Act to relevant advice given by the Food Standards Agency and after consultation in accordance with section 48(4) and (4B)^(c) of that Act hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Specified Risk Material Amendment (Scotland) Regulations 2001 and shall come into force on 10th January 2001.

(2) These Regulations extend to Scotland only.

Amendments to the Specified Risk Material Regulations 1997

2.—(1) The Specified Risk Material Regulations 1997^(d) are amended in accordance with paragraph (2) of this regulation.

(2) In regulation 4 (specified bovine material), paragraph (1) is substituted by the following paragraph:—

- “(1) In these Regulations, “specified bovine material” means—
- (a) in relation to a bovine animal which was slaughtered or has died elsewhere than in Australia or New Zealand, the intestines from the duodenum to the rectum;
 - (b) in relation to a bovine animal which was slaughtered or has died in the United Kingdom or Portugal at an age greater than 6 months, the following material:—
 - (i) the entire head (excluding the tongue but including the brains, eyes, trigeminal ganglia and tonsils);
 - (ii) the thymus;
 - (iii) the spleen; and
 - (iv) the spinal cord;

^(a) 1990 c.16. Sections 16(1) and (2), 19(1) and 48(1) were amended by the Food Standards Act 1999 (c.28) (“the 1999 Act”), Schedule 5, paragraph 8; section 17(1) was amended by the 1999 Act, Schedule 5, paragraphs 8 and 12; amendments made by Schedule 5 of the 1999 Act which extend to Scotland shall be taken to be pre-commencements enactments for the purposes of the Scotland Act 1998 (c.46) by virtue of section 40(2) of the 1999 Act. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

^(b) Section 48(4A) was inserted by paragraph 21 of Schedule 5 to the Food Standards Act 1999.

^(c) Section 48(4B) was inserted by paragraph 21 of Schedule 5 to the Food Standards Act 1999.

^(d) S.I. 1997/2965, amended by S.I. 1997/3062, 1998/2045 (itself amended by S.I. 1998/2431), 1999/539 and S.S.I. 2000/62 and 345.

- (c) in relation to a bovine animal which was slaughtered or has died in the United Kingdom or Portugal at an age greater than 30 months, the vertebral column (including dorsal root ganglia); and
- (d) in relation to a bovine animal which was slaughtered or has died elsewhere than in the United Kingdom, Portugal, Australia or New Zealand at an age greater than 12 months, the following material–
 - (i) the skull (including the brains and eyes);
 - (ii) the tonsils; and
 - (iii) the spinal cord.”.

St Andrew's House,
Edinburgh
9th January 2001

SUSAN C DEACON
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to Scotland only, amend the Specified Risk Material Regulations 1997 (“the principal Regulations”). They give effect to Article 1.1 of Commission Decision 2001/2/EC (O.J. No. L 1, 4.1.01, p.21), which amends Commission Decision 2000/418/EC (O.J. No. L 158, 30.6.00, p.76).

The principal amendment is to bring the definition of specified bovine material in regulation 4(1) of the principal Regulations into line with the definition of specified risk material in the Commission Decision by including the intestines of any bovine animal (which has died or was slaughtered elsewhere than in Australia or New Zealand) as specified risk material.

A Regulatory Impact Assessment, which includes an assessment of the effect that these Regulations would have on business costs, has been prepared and has been placed in the Scottish Parliament Information Centre. Copies may be obtained from the Food Standards Agency, 6th Floor, St Magnus House, 25 Guild Street, Aberdeen AB11 6NJ.

ISBN 0-11-059558-0



9 780110 595580