

2001 No. 483

ANIMALS

ANIMAL HEALTH

The Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 3) Amendment (No. 2) Regulations 2001

Made 24th December 2001

Coming into force at 2.00 p.m. on 24th December 2001

Laid before the Scottish Parliament 7th January 2002

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

Citation, commencement and cessation

1.—(1) These Regulations may be cited as the Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 3) Amendment (No. 2) Regulations 2001 and shall come into force at 2.00 p.m. on 24th December 2001.

(2) These Regulations shall remain in force until midnight on 28th February 2002.

Amendment to the Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 3) Regulations 2001

2.—(1) The Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 3) Regulations 2001(b) are amended in accordance with the following paragraphs of this regulation.

(2) In regulation 1(3) for “midnight on 31st January 2001”, there is substituted “midnight on 28th February 2002”.

(3) In regulation 2 (interpretation)—

(a) for the definition of “the Decision”, there is substituted—

““the Decision” means Commission Decision 2001/740/EC of 19th October 2001 (concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom and repealing Commission Decision 2001/356/EC)(c) as amended by Commission Decision 2001/763/EC(d), Commission Decision 2001/789/EC(e),

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

(b) S.S.I. 2001/429, as amended by S.S.I. 2001/455.

(c) O.J. No. L 227, 20.10.01, p.30. Commission Decision 2001/356/EC (O.J. No. L 125, 5.5.01, p.46), was amended by Commission Decision 2001/372/EC (O.J. No. L 130, 12.5.01, p.47), Commission Decision 2001/415/EC (O.J. No. L 149, 2.6.01, p.38), Commission Decision 2001/430/EC (O.J. No. L 153, 8.6.01, p.33), Commission Decision 2001/437/EC (O.J. No. L 154, 9.6.01, p.66), Commission Decision 2001/518/EC (O.J. No. L 186, 7.7.01, p.58), Commission Decision 2001/547/EC (O.J. No. L 195, 19.7.01, p.61), and Commission Decision 2001/708/EC (O.J. No. L 261, 29.9.01, p.67).

(d) O.J. No. L 287, 31.10.01, p. 36.

(e) O.J. No. L 295, 13.11.01, p. 25.

Commission Decision 2001/848/EC(a) and Commission Decision 2001/911/EC(b);”;
and

- (b) for the definition of “port of import”, there is substituted–
““port of import” means the ports of Cairnryan, Dover, Dundee, Prestwick International Airport and Stranraer;”.

(4) In regulation 4(2)(b)(c) (importation of live animals), for “Cairnryan, Dundee or Stranraer”, there is substituted “Cairnryan, Dundee, Prestwick International Airport or Stranraer”.

- (5) At the end of regulation 5 (dispatch of live animals), there is inserted–

“(3) The prohibition in paragraph (1) shall not apply to the dispatch of live porcine animals, without prejudice to the requirements of Council Directive 64/432/EEC (on health problems affecting intra-community trade in bovine animals and swine) as amended(d), provided the conditions specified at paragraph (4) are met.

- (4) The conditions referred to in paragraph (3) are–

- (a) the animals must have been reared within the areas listed in the appropriate column in Schedule 1;
- (b) the dispatch must be authorised in writing by the Scottish Ministers;
- (c) there has been no outbreak of foot-and-mouth disease in the area listed in Schedule 1 in which the animal has been reared during the period of 90 days prior to the date of dispatch;
- (d) during the period of 30 days prior to the date of loading for dispatch, the animals were subject to the supervision of the relevant veterinary authority on a single holding situated within one of the areas listed in Schedule 1 in the centre of a circle around the holding of at least 10 km radius where there has been no outbreak of foot-and-mouth disease during the said period of 30 days;
- (e) no animal of species susceptible to foot-and-mouth disease has been introduced into the holding referred to in sub-paragraph (d) during the period of 30 days prior to the date of loading, except in the case of pigs coming from a supplying holding, or holdings subject to a sole occupancy licence issued under the Foot-and-Mouth Disease Order 1983(e) which meets the requirements laid down in that sub-paragraph, in which case the period concerned shall be 7 days;
- (f) during transport, the animals must not have come into contact with other animals which were not from the same holding of dispatch referred to in sub-paragraph (d), unless all the animals are consigned direct for slaughter, in which case animals from no more than three other such holdings may be collected with that consignment;
- (g) the animals must have been transported under a specific movement licence under the Foot-and-Mouth Disease Order 1983 in means of transport which have been cleansed and disinfected–
- (i) before the animals are loaded; and
- (ii) before collecting animals for dispatch from holdings referred to in sub-paragraph (d) situated outside the areas listed in Schedule 1;
- (h) animals for breeding and production must not be consigned to more than three holdings, and all of those holdings must be in the same member State.

(a) O.J. No. L 315, 1.12.01, p. 64.

(b) O.J. No. L 337, 20.12.01, p. 39.

(c) Regulation 4(2)(b) was amended by S.S.I. 2001/455.

(d) O.J. No. L 121, 29.7.64, p. 1977/64; Directive updated by Council Directive 97/12/EC (O.J. No. L 109, 25.4.97, p. 1), as amended by Council Directive 98/46/EC (O.J. No. L 198, 15.7.98, p. 22), Council Directive 98/99/EC (O.J. L 358, 31.12.98, p.107), Commission Decision 98/362/EC (O.J. No. L 163, 6.6.98, p. 107), Commission Decision 98/548/EC (O.J. No. L 1263, 26.9.98, p. 35), Commission Decision 98/621/EC (O.J. No. L 296, 5.11.98, p. 15), Commission Decision 99/384/EC (O.J. No. L 146, 11.6.99, P. 52), Commission Decision 99/399/EC (O.J. No. L 150, 17.6.99, p. 32), Commission Decision 99/579/EC (O.J. No. L 219, 19.8.99, p. 32), Commission Decision 99/579/EC (O.J. No. L 219, 19.8.99, p. 53), Commission Decision 2000/504/EC (O.J. No. L 201, 9.8.00, p. 6), Directive 2000/15/EC (O.J. No. L 105, 3.5.00, p. 34), Directive 2000/20/EC (O.J. No. L 163, 4.7.00, p. 35) and Commission Decision 2001/298/EC (O.J. No. L 102, 12.4.01, p. 63).

(e) S.I. 1983/1950 as amended by S.I. 1993/3119 and 1995/2922 and, as regards Scotland, by S.S.I. 2001/52, 55, 101 and 390, as applied and varied by the Foot-and-Mouth Disease Declaratory (Controlled Area) (Scotland) (No. 3) Order 2001 (S.S.I. 2001/111, as amended by S.S.I. 2001/131, 146, 150, 159, 170, 181, 187, 204, 246 and 481) for, amongst other things, the purpose of issuing movement licences.

(5) Animals dispatched under paragraph (3) above shall be accompanied by an official health certificate in accordance with Council Directive 64/432/EEC prepared on behalf of the Scottish Ministers which bears the following words:–

“Animals conforming to Commission Decision 2001/740/EC of 19th October 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom”.

- (6) In regulation 6 (dispatch of meat, minced meat and meat preparations)–
- (a) for “supplying holding” in sub-paragraph (2)(d)(iii), there is substituted “supplying holding (or holdings subject to a sole occupancy licence issued under the Foot-and-Mouth Disease Order 1983)”;
 - (b) for “directly to an approved establishment” in sub-paragraph (2)(d)(iv), there is substituted “to an approved slaughterhouse”; and
 - (c) for sub-paragraph (2)(d)(vi), there is substituted–
 - “(vi) the means of transport must have been cleansed and disinfected before loading or before collecting animals for slaughter for dispatch of fresh meat outside the areas listed in Schedule 1;”.
- (7) At the end of regulation 10(2)(c)(vi) (dispatch of semen, etc.), there is inserted–
“, except that this test is not required provided any semen collection centre where the donor bull or boar was kept is situated within one of the areas listed in Schedule 1”.
- (8) For regulation 16(2) (export of equidae), there is substituted–
“(2) A veterinary inspector shall only issue a certificate referred to in paragraph (1) if satisfied that the animal has not come from a holding in relation to which a notice in Form A or Form D is in effect in accordance with the Foot-and-Mouth Disease Order 1983.”.
- (9) For Schedule 1 there is substituted the Schedule 1 set out in the Schedule to these Regulations.

Consequential Amendments to the Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 3) Amendment Regulations 2001

3.—(1) The Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 3) Amendment Regulations 2001(a) are amended in accordance with the following paragraphs of this regulation.

(2) In regulation 1(2) for “midnight on 31st January 2002”, there is substituted “midnight on 28th February 2002”.

(3) Regulation 2(2), (3) and (8) is revoked.

J R WILDGOOSE

A member of the staff of the Scottish Ministers

Pentland House,
Edinburgh
24th December 2001

SCHEDULE

SCHEDULE 1 AS INSERTED BY THESE REGULATIONS

Regulations 4, 5, 6 and 10

“SCHEDULE 1

PERMITTED AREAS

Areas in Scotland

Administrative Unit <i>Local Authority Areas in Scotland</i>	B	S/G	P	FG	WG	LP
Orkney Islands consisting of <i>Orkney Islands</i>	+	+	+	+	+	+
Western Islands consisting of <i>Eilean Siar</i>	+	+	+	+	+	+
Shetland Islands consisting of <i>Shetland Islands</i>	+	+	+	+	+	+
Wick consisting of <i>Part of Highland*</i>	+	+	+	+	+	+
Elgin consisting of <i>Moray Part of Highland*</i>	+	+	+	+	+	+
Inverness consisting of <i>Part of Highland*</i>	+	+	+	+	+	+
Aberdeenshire consisting of <i>Aberdeen City Aberdeenshire</i>	+	+	+	+	+	+
Forfar consisting of <i>Angus Dundee City</i>	+	+	+	+	+	+
Perth consisting of <i>Clackmannanshire Perth & Kinross</i>	+	+	+	+	+	+
Cupar consisting of <i>Fife</i>	+	+	+	+	+	+
Edinburgh consisting of <i>Falkirk Midlothian West Lothian City of Edinburgh East Lothian</i>	+	+	+	+	+	+
Galashiels consisting of <i>Scottish Borders</i>	+	+	+	+	-	-
Stirling consisting of <i>Stirling</i>	+	+	+	+	+	+
Oban consisting of <i>Argyll and Bute</i>	+	+	+	+	+	+

Administrative Unit	B	S/G	P	FG	WG	LP
<i>Local Authority Areas in Scotland</i>						
Hamilton consisting of <i>East Dunbartonshire East Renfrewshire City of Glasgow Inverclyde North Lanarkshire Renfrewshire South Lanarkshire West Dunbartonshire</i>	+	+	+	+	+	+
Ayr consisting of <i>East Ayrshire North Ayrshire South Ayrshire</i>	+	+	+	+	+	+
Stranraer consisting of <i>Part of Dumfries & Galloway#</i>	+	+	+	+	-	-
Dumfries consisting of <i>Part of Dumfries & Galloway#</i>	+	+	+	+	-	-

Areas in England

Administrative Unit	B	S/G	P	FG	WG	LP
Bedfordshire consisting of <i>Bedford</i> <i>Luton District</i>	+	+	+	+	+	+
Berkshire consisting of <i>Bracknell Forest</i> <i>Reading</i> <i>West Berkshire</i> <i>Windsor & Maidenhead</i> <i>Wokingham</i> <i>Slough</i>	+	+	+	+	+	+
Buckinghamshire consisting of <i>Buckinghamshire County</i> <i>Milton Keynes</i>	+	+	+	+	+	+
Cambridgeshire consisting of <i>Cambridgeshire County</i> <i>City of Peterborough</i>	+	+	+	+	+	+
Cheshire consisting of <i>Halton</i> <i>Cheshire County</i> <i>Warrington</i>	+	+	+	+	+	+
Cornwall County consisting of <i>Cornwall County</i>	+	+	+	+	+	-
Derbyshire consisting of <i>City of Derby</i> <i>Derbyshire County</i>	+	+	+	+	+	+
Devon consisting of <i>Torbay</i> <i>City of Plymouth</i> <i>Devon County</i>	+	+	+	+	+	+
Dorset consisting of <i>Dorset County</i> <i>Bournemouth</i> <i>Poole</i>	+	+	+	+	+	+
Essex consisting of <i>Southend-on-Sea</i> <i>Essex County</i> <i>Thurrock</i>	+	+	+	+	+	+
Gloucestershire consisting of <i>South Gloucestershire</i> <i>Gloucestershire County</i>	+	+	+	+	+	-
Hampshire consisting of <i>Hampshire County</i> <i>City of Portsmouth</i> <i>City of Southampton</i>	+	+	+	+	+	+
Isle of Wight consisting of <i>Isle of Wight</i>	+	+	+	+	+	+
Hereford & Worcester consisting of <i>Worcestershire County</i> <i>County of Herefordshire</i>	+	+	+	+	+	-
Hertfordshire consisting of <i>Hertfordshire</i>	+	+	+	+	+	+
Kent consisting of <i>Medway</i> <i>Kent County</i>	+	+	+	+	+	-

Administrative Unit	B	S/G	P	FG	WG	LP
Lancashire consisting of <i>Blackburn with Darwen</i> <i>Blackpool</i> <i>Lancashire County</i>	+	+	+	+	+	+
Leicestershire consisting of <i>City of Leicester</i> <i>Rutland</i> <i>Leicester County</i>	+	+	+	+	+	+
Lincolnshire consisting of <i>Lincolnshire</i>	+	+	+	+	+	+
Merseyside consisting of <i>Knowsley District</i> <i>Liverpool District</i> <i>Sefton District</i> <i>St Helens District</i>	+	+	+	+	+	+
East London consisting of <i>Greater London Authority</i>	+	+	+	+	+	-
South East London consisting of <i>Greater London Authority</i>	+	+	+	+	+	-
Norfolk consisting of <i>Norfolk County</i>	+	+	+	+	+	+
Northamptonshire consisting of <i>Northamptonshire County</i>	+	+	+	+	+	-
Nottinghamshire consisting of <i>City of Nottingham</i> <i>Nottinghamshire County</i>	+	+	+	+	+	+
Oxfordshire consisting of <i>Oxfordshire</i>	+	+	+	+	+	-
Avon consisting of <i>Bath & North East Somerset</i> <i>City of Bristol</i> <i>South Gloucestershire</i> <i>North Somerset</i>	+	+	+	+	+	+
Shropshire consisting of <i>Telford and Wrekin</i> <i>Shropshire County</i>	+	+	+	+	+	-
Somerset consisting of <i>Somerset</i>	+	+	+	+	+	-
Staffordshire consisting of <i>City of Stoke-on-Trent</i> <i>Staffordshire County</i>	+	+	+	+	+	+
Suffolk consisting of <i>Suffolk</i>	+	+	+	+	+	+
Isles of Scilly consisting of <i>Isles of Scilly</i>	+	+	+	+	+	+
Surrey consisting of <i>Surrey</i>	+	+	+	+	+	+
East Sussex consisting of <i>Brighton & Hove</i> <i>East Sussex County</i>	+	+	+	+	+	+
West Sussex consisting of <i>West Sussex</i>	+	+	+	+	+	+
Warwickshire consisting of <i>Warwickshire</i>	+	+	+	+	+	-

Administrative Unit	B	S/G	P	FG	WG	LP
Greater Manchester consisting of						
<i>Tameside District</i>	+	+	+	+	+	+
<i>Oldham District</i>	+	+	+	+	+	+
<i>Rochdale District</i>	+	+	+	+	+	+
<i>Bury District</i>	+	+	+	+	+	+
<i>Bolton District</i>	+	+	+	+	+	+
<i>Salford District</i>	+	+	+	+	+	+
<i>Trafford District</i>	+	+	+	+	+	+
<i>Manchester District</i>	+	+	+	+	+	+
<i>Stockport District</i>	+	+	+	+	+	+
<i>Wigan District</i>	+	+	+	+	+	-
Wiltshire consisting of						
<i>Swindon</i>	+	+	+	+	+	+
<i>Wiltshire County</i>	+	+	+	+	+	-
West Midlands consisting of						
<i>Birmingham District</i>	+	+	+	+	+	+
<i>Dudley District</i>						
<i>Sandwell District</i>						
<i>Solihull District</i>						
<i>Walshall District</i>						
<i>Wolverhampton District</i>						
<i>Coventry District</i>						
South Yorkshire consisting of						
<i>Barnsley District</i>	+	+	+	+	+	+
<i>Doncaster District</i>						
<i>Rotherham District</i>						
<i>Sheffield District</i>						
West Yorkshire consisting of						
<i>Wakefield District</i>	+	+	+	+	-	+
<i>Kirklees District</i>						
<i>Calderdale District</i>						
Beverley-North Yorkshire consisting of						
<i>York</i>	+	+	+	+	-	+
<i>Selby District</i>						
Humberside consisting of						
<i>East Riding of Yorkshire</i>	+	+	+	+	-	+
<i>City of Kingston upon Hull</i>						
<i>North East Lincolnshire</i>						
<i>North Lincolnshire</i>						

Areas in Wales

Administrative Unit	B	S/G	P	FG	WG	LP
Powys consisting of <i>North Powys</i> <i>South Powys</i>	+	+	+	+	+	-
Gwynedd consisting of <i>Conwy</i> <i>Gwynedd</i> <i>Isle of Anglesey</i>	+	+	+	+	+	+
Dyfed consisting of <i>Sir Gaerfyrddin-Carmarthen</i> <i>Sir Ceredigion-Ceredigion</i> <i>Sir Benfro-Pembrokeshire</i>	+	+	+	+	+	+
Clwyd consisting of <i>Sir Ddinbych-Denbigshir</i> <i>Sir Y Fflint-Flintshire</i> <i>Wrexham-Wrexham</i>	+	+	+	+	+	+
South Glamorgan consisting of <i>Bro Morgannwg-The Vale of Glamorgan</i> <i>Caerdydd-Cardiff</i>	+	+	+	+	+	+
Mid Glamorgan consisting of <i>Caerffili-Caerphilly</i> <i>Merthyr Tudful-Merthyr Tydfil</i> <i>Pen-y-Bont Ar Ogwr-Bridgend</i> <i>Rhondda/Cyn/Taf-Rhondda/Cyon/Taf</i>	+	+	+	+	+	-
West Glamorgan consisting of <i>Abertawe-Swansea</i> <i>Castell-Nedd Port Talbot-Neath Port Talbot</i>	+	+	+	+	+	+
Gwent consisting of <i>Blaenaun - Gwent</i> <i>Casnowyeld-Newport</i> <i>Sir Fynwy - Monmouthshire</i> <i>Tor-Faen - Torfaen</i>	+	+	+	+	+	+

In this Schedule—

B = bovine meat;

S/G = sheep and goat meat;

P = pig meat;

FG = farmed game of species susceptible to food-and-mouth disease;

WG = wild game of species susceptible to food-and-mouth disease;

LP = live pigs;

+ means that the area is one where the animals in the column may be produced (and in the case of live pigs, dispatched), and where the meat in question may be produced and dispatched;

* the three areas listed which consist of Parts of the Highland Council area together comprise the whole of the Highland Council area; and

the two areas listed which consist of Parts of the Dumfries and Galloway Council area together comprise the whole of the Dumfries and Galloway Council area.”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement in Scotland Commission Decision 2001/911/EC amending Commission Decision 2001/740/EC (concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom) for the fourth time.

They amend the restrictions on imports and exports of certain animals and animal products contained in the Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 3) Regulations 2001 (“the principal Regulations”) to continue the effect of those restrictions, with amendments, until midnight on 28th February 2002.

The principal Regulations are amended to permit the dispatch from Scotland of live pigs reared in certain areas of Scotland, as set out in the Schedule to these Regulations, subject to certain restrictions. They permit the multiple pick-up of animals destined for slaughter from holdings in certain areas, and where a sole occupancy licence applies. The Regulations also add Prestwick International Airport to list of ports of import, remove the test requirements for donor bulls and boars at semen collection centres in those areas, and amend the certification requirements for horses dispatched from Great Britain.

The areas referred to in regulation 6 of the principal Regulations are the Council areas listed in Schedule 1 to the principal Regulations as inserted hereby. The Administrative Unit is used by the European Commission to designate areas of the United Kingdom for the purpose of allowing exports.

A Regulatory Impact Assessment has not been prepared for these Regulations.

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Disease) (Scotland) (No. 3) Amendment (No. 2) Regulations
2001**

£2.50

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Printed in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, the Queen's Printer for Scotland
351 01/02 19593

