
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the TSE (Scotland) Regulations 2002 (S.I.2002/255) (“the principal Regulations”) which give effect in Scotland to the enforcement and administration of Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (“TSE”) (O.J. No. L 147, 31.5.01, p.1).

In part they amend the principal Regulations in order to implement the requirements contained in Regulation (EC) No. 999/2001 for TSE testing of bovine animals aged over 30 months slaughtered for human consumption. These requirements apply in Scotland upon the revocation of the Fresh Meat (Beef Controls) (No. 2) Regulations 1996 (S.I. 1996/2097) by the Bovine Products (Restriction on Placing on the Market) (Scotland) Regulations 2005 (S.S.I. 2005/) which prohibit the placing on the market for human consumption of products (other than milk and hides) from bovine animals born or reared in the United Kingdom before 1st August 1996 (“pre-1996 animals”) with effect from 7th November 2005.

They amend the principal Regulations by bringing up to date the definition of “the Community Transitional Measures” and adding to the definition of “inspector” to cover the inspection of hides (regulation 3).

They introduce a new regulation 10A and Schedule 1A into the principal Regulations to provide for written agreements setting out the operating methods to be used in slaughterhouses for the slaughter and testing for TSE of bovine animals over the age of 30 months and intended for human consumption. They also introduce a new regulation 10B which prohibits consigning pre-1996 animals to slaughterhouses (regulations 4 and 14).

They amend regulations 23 and 25 of the principal Regulations and introduce a new regulation 25A to strengthen the controls on the use of premises for the production, use and storage of animal feedingstuffs containing fishmeal (regulations 5 to 7).

They introduce a new regulation 25B into the principal Regulations to provide for the labelling of samples of animal feedingstuffs to be sent to laboratories and for the reporting of results (regulation 7).

They amend regulations 33 and 36 of the principal Regulations to provide for the enforcement of measures contained in Regulation (EC) No. 999/2001 concerning the labelling of bovine carcasses containing vertebral column and the removal of vertebral column from such carcasses (regulations 8 and 9).

They make a consequential amendment to regulation 39 of the principal Regulations which relates to staining of specified risk material (regulation 10).

They introduce and make provision for the use of a young goat stamp so as to provide a means of differentiating between the carcasses of young goats and young lambs (regulations 11 and 12).

They also make a consequential amendment to the provision on offences to make failure to comply with a direction of an inspector under regulation 10A an offence (regulation 13).