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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 469**

**The TSE (Scotland) Amendment (No. 2) Regulations 2005**

**Amendment of the TSE (Scotland) Regulations 2002**

7. After regulation 25, insert—

**“Use and storage of feedingstuffs containing fishmeal**

**25A.**—(1) In accordance with the condition contained in paragraph 2.I.B.(f) of Annex IV to the Community TSE Regulation, no person shall use or store any feedingstuffs containing fishmeal on a farm where ruminant animals are kept, fattened or bred for the production of food.

(2) Paragraph (1) shall not apply where the Scottish Ministers register premises for the use or storage of feedingstuffs containing fishmeal in accordance with paragraph (3).

(3) The Scottish Ministers shall register premises under this regulation where the occupier declares that measures are implemented on the premises in question to prevent the feeding of feedingstuffs containing fishmeal to ruminant animals.

**Samples sent to laboratories and reporting requirements**

**25B.**—(1) Any occupier of premises producing feedingstuffs who sends a sample to a laboratory for testing for any purpose in connection with the requirements of Annex IV of the Community TSE Regulation before 1st January 2006 shall supply in writing with the sample—

- (a) the name and address of the premises at which the sample was taken;
- (b) the date on which the sample was taken; and
- (c) the description and identity of the sample.

(2) The occupier shall also supply in writing with the sample—

- (a) confirmation of whether or not the sample was taken from a feedingstuff or an ingredient for the feeding of farmed animals—
  - (i) which has been imported from a third country, or
  - (ii) which has been, or is intended to be, placed on the market, and, if so,
- (b) details of the species of animal for which the feedingstuff or ingredient is intended.

(3) Any—

- (a) person who submits a sample to a laboratory for analysis pursuant to paragraph (1); or
- (b) occupier of a laboratory, other than the Community reference laboratory, to which a sample for analysis pursuant to paragraph (1) is submitted,

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shall inform the Scottish Ministers with all practicable speed if there is any evidence arising from that sample of a breach of these Regulations or of Annex IV to the Community TSE Regulation.”.