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## EXPLANATORY NOTE

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

This Order revokes and remakes the Diseases of Animals (Approved Disinfectants) Order 1978 in so far as it relates to Scotland.

Article 3 provides that a manufacturer of a disinfectant may apply to the Scottish Ministers to have that disinfectant approved for use when an Order under the Animal Health Act 1981 specifies that an approved disinfectant must be used.

Article 4 provides that an approved disinfectant may only be used in accordance with the conditions of the approval or as directed by an inspector.

Article 5 provides that an approval is granted for two years but may be renewed.

Article 6 provides that the Scottish Ministers may amend, suspend or revoke an approval or refuse to renew an approval.

Article 7 provides a procedure for a manufacturer to apply for a review of any decision made by the Scottish Ministers.

Article 8 provides that a manufacturer or supplier must take reasonable steps to notify any person in the United Kingdom to whom the manufacturer has supplied a disinfectant in the previous 6 months if its approval has been amended, suspended or revoked, or if a renewal of the approval has been refused.

Article 9 prohibits the placing of any disinfectant on the market that is labelled or otherwise represented as an approved disinfectant if it is not approved under this Order or if the formula for it has changed since approval was granted.

Article 10 makes provision in connection with references in existing legislation.

Article 11 provides that the Scottish Ministers may at any time require information about a disinfectant, or samples of that disinfectant, to be provided to them.

Article 12 provides for offences by a body corporate.

Article 13 provides that the Order shall be enforced by the local authority.

Article 14 revokes earlier legislation as set out in the Schedule.

Breach of the Order is an offence under section 73 of the Animal Health Act 1981, punishable in accordance with section 75 of that Act.

This Order has been notified in draft to the European Commission in accordance with Directive [98/34/EC](#) of the European Parliament and of the Council (O.J. No. L 204, 21.7.98, p.37) laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services, as amended by Directive [98/48/EC](#) of the European Parliament and of the Council (O.J. No. L 217, 5.8.98, p.18).

A regulatory impact assessment has not been produced for this instrument because it has no impact on the costs of business.