

---

## EXPLANATORY NOTE

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

This Order amends the Products of Animal Origin (Disease Control) (Scotland) Order 2008 (“the 2008 Order”) to implement requirements in paragraph 4(d) of Annex II of Council Directive [92/119/EEC](#) introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease (O.J. No. L 62, 15.3.1993, p.69) in respect of any meat from pigs with antibodies against swine vesicular disease (referred to as “seropositive pigs” and defined in article 3(c)) in which disease has not been confirmed but which the Scottish Ministers have required to be slaughtered.

Such seropositive pigs may only be slaughtered in a designated slaughterhouse and they must, whilst there, be kept separate from other pigs (article 7(b)). The meat from the seropositive pigs cannot be exported (article 6(a)) unless it has been treated at a designated treatment centre. This is ensured by marking and record keeping requirements in respect of the seropositive pig meat (articles 9 and 11 respectively). A new circular mark for placing on seropositive pigmeat is prescribed in an amendment to Schedule 3 (article 12).

This Order also amends articles 10, 11, 15 and 16 the 2008 Order in respect of restricted meat from restricted poultry intended for supply on the domestic market (as defined in article 3(a)) to:

- (a) remove the requirement on a supplier of such poultry meat to know how others in the supply chain have handled the meat in order to avoid committing an offence (article 6(b));
- (b) remove offences of receiving such poultry meat at an undesignated place (article 8);
- (c) remove offences of transporting restricted poultry meat to an undesignated place (article 10); and
- (d) excludes wholesale and retail distributors, retailers and consumers from record keeping requirements (regulation 11(g)).

The definition of “relevant date” has been removed from article 2 of the 2008 Order as this term now only occurs once in the 2008 Order. Article 5 introduces a revised definition of “relevant date” in article 8(4) of the 2008 Order that addresses an earlier ambiguity caused by the use of the term. The definition of “restricted meat” in regulation 4(9) of the 2008 Order has been substituted by a revised definition introduced by article 4 of this Order.

A regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.