

## SCHEDULE 2

Regulation 28

### Consequential amendments

#### *The Animal By-Products (Identification) Regulations 1995*

1. The Animal By-Products (Identification) Regulations 1995(1) are amended as follows.
2. In regulation 2(1) (interpretation)—
  - (a) omit the definition of “the 2003 Regulations”;
  - (b) in the definition of “approved incineration plant”, for “regulation 14 of the 2003 Regulations” substitute “Articles 24 and 44 of the Community Regulation”;
  - (c) in the definition of “approved rendering plant”, for “regulation 14 of the 2003 Regulations” substitute “Articles 24 and 44 of the Community Regulation”; and
  - (d) for the definition of “the Community Regulation” substitute ““the Community Regulation” means Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)(2);”.
3. In regulation 4 (scope), omit “the 2003 Regulations or”.
4. In regulation 5(2) (exemptions)—
  - (a) in sub-paragraph (c), for “the 2003 Regulations” substitute “Articles 13, 16, 17, 18 and 19 of the Community Regulation”; and
  - (b) in sub-paragraph (d), for “the 2003 Regulations” substitute “Articles 12, 13, 14 and 17 of the Community Regulation”.
5. In regulation 9(3) (storage and packaging of animal by-products)—
  - (a) in sub-paragraph (d), for “2.1(c)”, substitute “9”; and
  - (b) in sub-paragraph (e), for “2.1(d)”, substitute “10”.

#### *The Products of Animal Origin (Import and Export) Regulations 1996*

6. The Products of Animal Origin (Import and Export) Regulations 1996(3) are amended as follows.
7. In regulation 1(2) (interpretation)—
  - (a) omit the definition of “Directive 90/667”;
  - (b) in the definition of “product of animal origin”, for “Directive 90/667” substitute “Regulation (EC) No 1069/2009 and Regulation (EU) No 142/2011”; and
  - (c) after the definition of “Regulation 1274/91” insert—

““Regulation (EC) No 1069/2009” means Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulations (EC) No 1774/2002 (Animal by-products Regulation);

“Regulation (EU) No 142/2011” means Commission Regulation (EU) No 142/2011 implementing Regulation (EU) No 1069/2009 of the European

(1) S.I. 1995/614, relevantly amended by S.S.I. 2003/53 and 411 and 2006/3.

(2) O.J. L 300, 14.11.2009, p.1, amended by Directive 2010/63/EU (O.J. L 276, 20.10.2010, p.33).

(3) S.I. 1996/3124, relevantly amended by S.I. 1996/3000 and S.S.I. 2003/568.

Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

8. In regulation 10 (exports to other member states)—
  - (a) after each reference to “Directive 92/118” insert “or Regulation (EC) No 1069/2009 or Regulation (EU) No 142/2011”; and
  - (b) in paragraph (1)(a)(i), after “provisions” insert “of any”.
9. In regulation 11(1) (registration of certain establishments which produce, process or store products of animal origin)—
  - (a) after each reference to “Directive 92/118” insert “or Regulation (EC) No 1069/2009 or Regulation (EU) No 142/2011”; and
  - (b) for “15 of Schedule 3, under Directive 90/667” substitute “16 of Schedule 3”.
10. In regulation 12(1) (notification of certain establishments which supply or store products of animal origin)—
  - (a) after each reference to “Directive 92/118” insert “or Regulation (EC) No 1069/2009 or Regulation (EU) No 142/2011”; and
  - (b) in sub-paragraph (a), for “15 of Schedule 3, under Directive 90/667” substitute “16 of Schedule 3”.
11. In Schedule 1 (amendments to directives), in paragraph 3, omit “Council Directive 90/667/EEC (OJNo. L 363, 27.12.90, p.51);”.
12. In Schedule 3 (community measures relevant to intra-community trade)—
  - (a) at the end of the heading to paragraph 12, insert “and also not subject to Regulation (EC) No 1069/2009 and Regulation (EU) No 142/2011”; and
  - (b) after paragraph 15 (wild game), insert—

**“Animal by-products**

16. Regulation (EC) No 1069/2009 and Regulation (EU) No 142/2011.”.

*The Pollution Prevention and Control (Scotland) Regulations 2000*

13. The Pollution Prevention and Control (Scotland) Regulations 2000(4) are amended as follows.
14. In Part 1 (activities) of Schedule 1 (activities and installations and mobile plant)—
  - (a) in Section 5.1 (incineration and co-incineration of waste) of Chapter 5 (waste management), in the paragraph Interpretation of Section 5.1, in the definition of “excluded plant”, for “Regulation (EC) No. 1774/2002 of the European Parliament and of the Council of 3rd October 2002 laying down health rules concerning animal by-products not intended for human consumption”, substitute “Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) and Commission Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products

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(4) S.S.I. 2000/323, relevantly amended by S.S.I. 2003/146, 170 and 235, 2005/101, 340 and 510, 2008/410 and 2010/236.

not intended for human consumption and implementing Council Directive [97/78/EC](#) as regards certain samples and items exempt from veterinary checks at the border under that Directive”; and

- (b) in Section 6.8 (the treatment of animal and vegetable matter and food industries) of Chapter 6 (other activities), in the paragraph Interpretation of Section 6.8, in the definition of “exempt activity”, for “regulation 26 of the Animal By-Products (Scotland) Regulations 2003”, substitute “Article 18(1) of Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)”.

*The Rendering (Fluid Treatment) (Scotland) Order 2001*

- 15.** The Rendering (Fluid Treatment) (Scotland) Order 2001(5) is amended as follows.

**16.** In article 2 (interpretation), in the definition of “animal by-product”, for “Regulation (EC) No. 1774/2002 laying down health rules concerning animal by-products not intended for human consumption” substitute “Article 3(1) of Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation);”.

*The Older Cattle (Disposal) (Scotland) Regulations 2006*

- 17.** The Older Cattle (Disposal) (Scotland) Regulations 2006(6) are amended as follows.

**18.** In regulation 2 (interpretation), in the definition of “rendering plant”, for “processing plant as defined in Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by products not intended for human consumption”, substitute “within the meaning of paragraph 58 of Annex I to Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive [97/78/EC](#) as regards certain samples and items exempt from veterinary checks at the boarder under that Directive”.

*The Foot-and-Mouth Disease (Scotland) Order 2006*

- 19.** The Foot-and-Mouth Disease (Scotland) Order 2006(7) is amended as follows.

**20.** In article 2 (interpretation)—

- (a) in the definition of “dispose”, for “1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption and the Animal By-Products (Scotland) Regulations 2003”, substitute “Regulation (EC) No 1069/2009 and Regulation (EU) No 142/2011”; and

- (b) after the definition of “raw milk”, insert—

““Regulation (EC) No 1069/2009” means Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation);

(5) [S.S.I. 2001/189](#), relevantly amended by [S.S.I. 2002/255](#), [2003/411](#) and [2010/177](#).

(6) [S.S.I. 2006/4](#).

(7) [S.S.I. 2006/44](#), relevantly amended by [S.S.I. 2007/455](#).

“Regulation (EU) No 142/2011” means Commission Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

**21.** In article 25(2)(b) (slaughter: control of faecal material), for “point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption, as amended”, substitute “Articles 15 and 32 of Regulation (EC) No 1069/2009 and Articles 10 and 22 of Regulation (EU) No 142/2011”.

**22.** In article 26(2)(c) (slaughter: isolation of things liable to spread disease) for “1774/2002” substitute “1069/2009”.

**23.** In Schedule 4 (measures applicable in protection zones and surveillance zones)—

- (a) in paragraph 20(4) (transport, treatment and spreading of dung and manure produced in a protection zone) for “point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Articles 15 and 32 of Regulation (EC) No 1069/2009 and Articles 10 and 22 of Regulation (EU) No 142/2011”; and
- (b) in paragraph 33(4) (transport, treatment and spreading of dung and manure produced in a surveillance zone), for “point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Articles 15 and 32 of Regulation (EC) No 1069/2009 and Articles 10 and 22 of Regulation (EU) No 142/2011”.

**24.** In Schedule 5 (treatment of products to ensure the destruction of disease virus)—

- (a) in paragraph 2 (hides and skins), for “article 20 of and points A(2)(c) or (d) of Chapter VI of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Article 35 of Regulation (EC) No 1069/2009 and point 28(c) and (d) of Regulation (EU) No 142/2011”;
- (b) in paragraph 3 (wool, ruminant hair and pig bristles), for “article 20 of and point A(1) of Chapter VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Article 36 of Regulation (EC) No 1069/2009 and Article 24(4) of Regulation (EU) No 142/2011”;
- (c) in paragraph 5 (blood and blood products), for “point B(3)(e)(ii) of Chapter IV of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “point 2(b)(ii) of Chapter IV of Annex XIII to Regulation (EU) No 142/2011”;
- (d) in paragraph 6 (lard and rendered fats), for “point B(2)(d)(iv) of Chapter IV of Annex VII to Regulation (EC) No. 1774/2002, as amended” substitute “section 3(d) of Chapter 1 of Annex XIV to Regulation (EU) No 142/2011”;
- (e) in paragraph 7 (petfood and dog chews), for “points B(2), (3) or (4) of Chapter II of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Chapter II of Annex XIII to Regulation (EU) No 142/2011”; and
- (f) in paragraph 8 (game trophies of ungulates), for “points A(1), (3) or (4) of Chapter VII of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Chapter VI of Annex XIII to Regulation (EU) No 142/2011”.

*The Foot-and-Mouth Disease (Slaughter and Vaccination) (Scotland) Regulations 2006*

**25.** The Foot-and-Mouth Disease (Slaughter and Vaccination) (Scotland) Regulations 2006(8) are amended as follows.

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(8) S.S.I. 2006/45.

**26.** In regulation 2 (interpretation)—

- (a) in the definition of “dispose”, for “1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption and the Animal By-Products (Scotland) Regulations 2003” substitute “Regulation (EC) No 1069/2009 and Regulation (EU) No 142/2011”; and
- (b) after the definition of “reactor premises” insert—

““Regulation (EC) No 1069/2009” means Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation); “Regulation (EU) No 142/2011” means Commission Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

**27.** In Part 3 (products other than fresh meat) of the Schedule (measures applicable in respect of a vaccination zone), in paragraph 18 (transport, treatment and distribution of dung and manure) for “point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002, as amended” substitute “Articles 15 and 32 of Regulation (EC) No 1069/2009 and Articles 10 and 22 of Regulation (EU) No 142/2011”.

*The Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2007*

**28.** The Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2007(9) are amended as follows.

**29.** In regulation 2 (interpretation)—

- (a) omit the definition of “Regulation (EC) No. 1774/2002”; and
- (b) after the definition of “Regulation (EC) No 136/2004” insert—

““Regulation (EC) No 1069/2009” means Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation); “Regulation (EU) No 142/2011” means Commission Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

**30.** In regulation 4 (exemption for authorised products and personal imports)—

- (a) in paragraph (1), at the end, insert “other than products to which Article 17 of Regulation (EC) No 1069/2009 and Articles 11(2) and 12(2) of Regulation (EU) No 142/2011 apply”;
- (b) in paragraph (4)(b), for “Regulation (EC) No. 1774/2002 and the Animal By-Products (Scotland) Regulations 2003”, substitute “Regulation (EC) No 1069/2009, Regulation (EU) No 142/2011 and the Animal By-Products (Enforcement) (Scotland) Regulations 2011”; and

(9) S.S.I. 2007/1, amended by S.S.I. 2007/304, 2009/228 and 2010/225.

- (c) in paragraph (5)(b), for “1774/2002” substitute “1069/2009”.
- 31.** In regulation 5(1)(a) (enforcement authorities and exchange of information), for “1774/2002” substitute “1069/2009”.
- 32.** In regulation 6(1)(a) (appointment of official veterinary surgeons and official fish inspectors), for “1774/2002”, substitute “1069/2009”.
- 33.** In regulation 21 (products which fail veterinary checks)—
- (a) in paragraph (3)(b), for “1774/2002” substitute “1069/2009”; and
  - (b) in paragraph (5)(b), for “1774/2002” substitute “1069/2009”.
- 34.** In regulation 22 (treatment as animal by-products)—
- (a) in paragraph (1) for “regulation 26 of the Animal By-Products (Scotland) Regulations 2003” substitute “Articles 17 and 18 of Regulation (EC) No 1069/2009 and Articles 11(2), 12(2) and 14 of Regulation (EU) No 142/2011”; and
  - (b) in paragraph (3), for “regulation 26 of the Animal By-Products (Scotland) Regulations 2003” substitute “Articles 17 and 18 of Regulation (EC) No 1069/2009”.
- 35.** In regulation 24(4) (consignments and products illegally brought in), for “1774/2002” substitute “1069/2009”.
- 36.** In regulation 43(1)(b) (disposal of returned transit products), for “1774/2002” substitute “1069/2009”.
- 37.** In Schedule 1 (import conditions), in Part VIII (miscellaneous products)—
- (a) for paragraph 13 substitute—
    - “**13.** Regulation (EC) No 1069/2009 and Regulation (EU) No 142/2011”; and
  - (b) omit paragraphs 14, 15 and 16.

*The Avian Influenza (H5N1 in Wild Birds) (Scotland) Order 2007*

- 38.** The Avian Influenza (H5N1 in Wild Birds) (Scotland) Order 2007(**10**) is amended as follows.
- 39.** In article 2 (interpretation)—
- (a) in the definition of “bird by product” for “Articles 4, 5 or 6 of Regulation (EC) No. 1774/2002” substitute “Article 8, 9 or 10 of Regulation (EC) No 1069/2009”; and
  - (b) for the definition of “Regulation (EC) No. 1774/2002” substitute—
 

““Regulation (EC) No 1069/2009” means Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation);

“Regulation (EU) No 142/2011” means Commission Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.
- 40.** In article 13(1)(c) (designation of premises to which things may be moved), for “regulation 14 (approval of premises) of the Animal By-Products (Scotland) Regulations 2003” substitute “Articles 24 and 44 of Regulation (EC) No 1069/2009”.

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(10) S.S.I. 2007/61.

41. In Schedule 1 (measures applicable in respect of a wild bird control area)—
- (a) in paragraph 13 (restriction on the movement of bird by products or products derived from bird by products from premises in a wild bird control area)—
    - (i) for sub-paragraph (2), substitute—

“(2) A veterinary inspector may not grant or direct the grant of a licence under sub paragraph (1) unless it is for a movement of—

      - (a) processed animal protein within the meaning of paragraph 5 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 1 of Chapter II of Annex X to that Regulation;
      - (b) blood products within the meaning of paragraph 4 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph B of Section 2 of Chapter II of Annex X to that Regulation;
      - (c) rendered fats within the meaning of paragraph 8 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph B of Section 3 of Section II of Annex X to that Regulation;
      - (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
      - (e) hydrolysed protein within the meaning of paragraph 14 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
      - (f) dicalcium phosphate which complies with the requirements of paragraph B of Section 6 of Chapter II of Annex X to Regulation (EU) No 142/2011;
      - (g) tricalcium phosphate which complies with the requirements of paragraph B of Section 7 of Chapter II of Annex X to Regulation (EU) No 142/2011;
      - (h) collagen within the meaning of paragraph 11 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 8 of Chapter II of Annex X to that Regulation;
      - (i) egg products which comply with the requirements of paragraph B of Section 9 of Chapter II of Annex X to Regulation (EU) No 142/2011;
      - (j) processed petfood within the meaning of paragraph 20 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of Chapter II of Annex XIII to that Regulation;
      - (k) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of Chapter II of Annex XIII to that Regulation;
      - (l) processed manure and processed manure products which comply with, the requirements of Section 2 of Chapter I of Annex XI to Regulation (EU) No 142/2011;
      - (m) game trophies of birds having undergone a complete taxidermy treatment ensuring their preservation at ambient temperatures within the meaning of Chapter VI of Annex XIII to Regulation (EU) No 142/2011;
      - (n) those by-products which are transported to designated incineration plants, processing plants, oleochemical plants, biogas and composting plants, petfood plants or technical plants for disposal, treatment, transformation or use which ensures inactivation of the avian influenza virus;

- (o) those by-products which are transported to users or collection centres authorised and registered in accordance with Articles 24 and 44 of Regulation (EC) No 1069/2009 for the feeding of animals after they have been treated by a method approved by the competent authority which ensures inactivation of the avian influenza virus;
  - (p) untreated feathers or parts of untreated feathers produced from poultry within the meaning of paragraph 30 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph A of Chapter VII of Annex XIII to that Regulation; or
  - (q) poultry feathers, feathers from wild game bird or parts of such feathers which have been treated with a steam current or by another method which ensures inactivation of the avian influenza virus.”; and
- (ii) in sub-paragraph (5) for “Chapter X of Annex II to Regulation (EC) No. 1774/2002” substitute “Chapter III of Annex VIII to Regulation (EU) No 142/2011”;
- (b) in paragraph 14(a) (prohibition on movement of poultry manure) for “1774/2002” substitute “1069/2009 and Section 2 of Chapter I of Annex XI to Regulation (EU) No 142/2011”; and
- (c) in paragraph 15(a) (prohibition on the spread of poultry manure) for “1774/2002” substitute “1069/2009 and Section 2 of Chapter I of Annex XI to Regulation (EU) No 142/2011”.

*The Avian Influenza (H5N1 in Poultry) (Scotland) Order 2007*

- 42.** The Avian Influenza (H5N1 in Poultry) (Scotland) Order 2007(**11**) is amended as follows.
- 43.** In article 2 (interpretation)—
- (a) in the definition of “bird by-product” for “Articles 4, 5 or 6 of Regulation (EC) No. 1774/2002” substitute “Article 8, 9 or 10 of Regulation (EC) No 1069/2009”; and
  - (b) for the definition of “Regulation (EC) No. 1774/2002”, substitute—
 

““Regulation (EC) No 1069/2009” means Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation);

“Regulation (EU) No 142/2011” means Commission Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.
- 44.** In article 3(6)(c) (licences, notices and designations under this Order), for “regulation 14 of the Animal By-Products (Scotland) Regulations 2003” substitute “Articles 24 and 44 of Regulation (EC) No 1069/2009”.
- 45.** In article 14 (restrictions on the movement of bird by-products)—
- (a) for paragraph (2) substitute—

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(11) S.S.I. 2007/62.



“(2) But a veterinary inspector or an inspector acting under the direction of a veterinary inspector may license the movement of any of the following bird by-products:—

- (a) processed animal protein within the meaning of paragraph 5 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 1 of Chapter II of Annex X to that Regulation;
- (b) blood products within the meaning of paragraph 4 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph B of Section 2 of Chapter II of Annex X to that Regulation;
- (c) rendered fats within the meaning of paragraph 8 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph B of Section 3 of Section II of Annex X to that Regulation;
- (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
- (e) hydrolysed protein within the meaning of paragraph 14 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
- (f) dicalcium phosphate which complies with the requirements of paragraph B of Section 6 of Chapter II of Annex X to Regulation (EU) No 142/2011;
- (g) tricalcium phosphate which complies with the requirements of paragraph B of Section 7 of Chapter II of Annex X to Regulation (EU) No 142/2011;
- (h) collagen within the meaning of paragraph 11 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 8 of Chapter II of Annex X to that Regulation;
- (i) egg products which comply with the requirements of paragraph B of Section 9 of Chapter II of Annex X to Regulation (EU) No 142/2011;
- (j) processed petfood within the meaning of paragraph 20 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of Chapter II of Annex XIII to that Regulation;
- (k) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of Chapter II of Annex XIII to that Regulation;
- (l) processed manure and processed manure products which comply with, the requirements of Section 2 of Chapter I of Annex XI to Regulation (EU) No 142/2011;
- (m) by-products to a designated incineration plant, processing plant, oleochemical plant, biogas and composting plant, petfood plant or technical plant for disposal, treatment, transformation or use which ensures inactivation of the avian influenza virus;
- (n) by-products to users or collection centres authorised and registered in accordance with Articles 24 and 44 of Regulation (EC) No 1069/2009 for the feeding of animals after they have been treated by a method approved by the competent authority which ensures inactivation of the avian influenza virus;
- (o) game trophies of birds having undergone a complete taxidermy treatment ensuring their preservation at ambient temperatures;

- (p) poultry feathers or parts of such feathers which have been treated with a steam current or by another method which ensures inactivation of the avian influenza virus; or
- (q) untreated feathers or parts of untreated feathers produced from poultry or wild game birds from a restricted zone within the meaning of paragraph 30 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph A of Chapter VII of Annex XIII to that Regulation.”;
- (b) in paragraph (3), for “Annex V to Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No 1069/2009 and Annex IV to Regulation (EU) No 142/2011”; and
- (c) in paragraph (4), for “Chapter X of Annex II to Regulation (EC) No. 1774/2002”, substitute “Chapter III of Annex VIII to Regulation (EU) No 142/2011”.

*The Animals and Animal Products (Import and Export) (Scotland) Regulations 2007*

**46.** The Animals and Animal Products (Import and Export) (Scotland) Regulations 2007<sup>(12)</sup> are amended as follows.

**47.** In Part 1 (legislation in relation to intra-Community trade) of Schedule 3 (intra-Community trade: legislation and additional requirements), for paragraph 7 substitute—

**“Animal by-products**

7.—(1) Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation).

(2) Commission Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.”.

*The Zoonoses and Animal By-Products (Fees) (Scotland) Regulations 2009*

**48.** The Zoonoses and Animal By-Products (Fees) (Scotland) Regulations 2009<sup>(13)</sup> are amended as follows.

**49.** In regulation 2 (interpretation), omit the definition of “the 2003 Regulations”.

**50.** In the Schedule, wherever it appears, omit “regulation 21 of the 2003 Regulations or”.

*The Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010*

**51.** The Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010<sup>(14)</sup> are amended as follows.

**52.** In regulation 2 (interpretation)—

- (a) omit the definition of “Regulation (EC) No. 1774/2002”; and

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<sup>(12)</sup> S.S.I. 2007/194, relevantly amended by S.S.I. 2010/343.

<sup>(13)</sup> S.S.I. 2009/230, amended by S.S.I. 2009/416 and 2010/88.

<sup>(14)</sup> S.S.I. 2010/177.

(b) before the definition of “slaughterhouse”, insert—

““Regulation (EC) No 1069/2009” means Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules concerning animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation);  
“Regulation (EU) No 142/2011” means Commission Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

53. In regulation 4(2) (exception for research), for “1774/2002” substitute “1069/2009”.

54. In Schedule 1, omit paragraph (b).

55. In paragraph 14(2)(b)(i) of Schedule 2 (TSE sampling of sheep, goats and deer), for “the Animal By-Products (Scotland) Regulations 2003” substitute “Articles 24 and 44 of Regulation (EC) No 1069/2009”.

56. In Schedule 6 (feedingstuffs)—

(a) in paragraph 3 (exceptions)—

- (i) for “Regulation (EC) No. 1774/2002 and the Animal By-Products (Scotland) Regulations 2003”, substitute “Articles 15 and 32 of Regulation (EC) No 1069/2009 and Articles 10 and 22 of Regulation (EU) No 142/2011”; and
- (ii) for “regulation 11(1) of the Animal By-Products (Scotland) Regulations 2003”, substitute “Article 11(1) of Regulation (EC) No 1069/2009, Article 5(2) and Chapter II of Annex II to Regulation (EU) No 142/2011 and regulation 7 of the Animal By-Products (Enforcement) (Scotland) Regulations 2011”; and

(b) in paragraph 18(2), for “Regulation (EC) No. 1774/2002”, substitute “Article 43 of Regulation (EC) No 1069/2009 and Article 25 of Regulation (EC) No 142/2011”; and

(c) omit paragraph 19 (fertilisers).