
STATUTORY INSTRUMENTS

2003 No. 1482

The Animal By-Products Regulations 2003

PART 6

Derogations

Competent authority for Chapter V of the Community Regulation

25. The Secretary of State shall be the competent authority for the purposes of Chapter V of the Community Regulation (derogations).

Derogations regarding the use of animal by-products

26.—(1) The use of animal by-products for diagnostic, educational or research purposes is permitted if it is in accordance with an authorisation.

(2) The use of animal by-products for taxidermy is permitted if—

- (a) it is in accordance with an authorisation; and
- (b) it is in an approved technical plant.

(3) The feeding of animal by-products specified in Article 23(2)(b) of the Community Regulation to—

- (a) zoo animals;
- (b) circus animals;
- (c) reptiles and birds of prey other than zoo or circus animals;
- (d) dogs from recognised kennels or recognised packs of hounds; or
- (e) maggots for fishing bait,

is permitted if it is in accordance with an authorisation.

(4) The Secretary of State shall maintain a register of premises used for the feeding of such animal by-products to zoo or circus animals, dogs from recognised kennels or recognised packs of hounds and maggots for fishing bait.

(5) The register in the previous paragraph shall contain the following information—

- (a) the name of the operator;
- (b) the address of the premises; and
- (c) the business carried on at the premises.

(6) Any person who uses animal by-products for any of the purposes in this regulation other than in accordance with an authorisation shall be guilty of an offence.

Collection centres

27.—(1) For the purposes of Article 23(2) of the Community Regulation no person shall operate a collection centre, as defined in Annex I to the Community Regulation, for the purposes of feeding animal by-products to—

- (a) dogs from recognised kennels or recognised packs of hounds; or
- (b) maggots for fishing bait;

unless the premises and the operator of the premises are authorised.

(2) The operator of the authorised premises shall—

(a) ensure that the premises are maintained and operated in accordance with—

- (i) the conditions of the authorisation; and
- (ii) the requirements of the Community Regulation and these Regulations; and

(b) ensure that any person employed by him, and any person invited to the premises complies with these conditions and requirements.

(3) Any person who fails to comply with any provision of this regulation shall be guilty of an offence.

Burial of pet animals

28. In accordance with Article 24(1)(a) of the Community Regulation, dead pet animals may be buried.

Remote areas

29.—(1) Only the Isles of Scilly and Lundy Island are remote areas for the purposes of Article 24(1)(b) of the Community Regulation and accordingly the animal by-products referred to in that sub-paragraph and originating in those areas may be disposed of by burning or burial on site provided that this is done in accordance with Part C of Annex II to Commission Regulation (EC) No. 811/2003⁽¹⁾.

(2) The Secretary of State shall be the competent authority for the purposes of Article 7 of, and Part C of Annex II to, Commission Regulation (EC) No. 811/2003.

Burial in the event of a disease outbreak

30.—(1) In accordance with Article 24(1)(c) of the Community Regulation, if there is an outbreak of disease mentioned in List A of the International Office of Epizootic Diseases, on site burning or burial (as defined in Part A of Annex II to Commission Regulation (EC) No. 811/2003) of animal by-products shall not be an offence if the animal by-product is transported, and buried or burnt, in accordance with—

- (a) a notice given by the Secretary of State under Article 24(1)(c) authorising disposal in accordance with that provision; and
- (b) the provisions of Article 6 of and Part B of Annex II to Commission Regulation (EC) No. 811/2003.

(2) The Secretary of State shall be the competent authority for the purposes of Article 6 of and Part B of Annex II to Commission Regulation (EC) No. 811/2003.

(1) OJ No. L117, 13.5.2003, p. 14.

Burning and burial of bees and apiculture products

31. In accordance with Article 8 of Commission Regulation [\(EC\) No. 11/2003](#), bees and Category 2 apiculture products may be disposed of by burial or burning on site if this is done in accordance with that Article.