

**2009 No. 1119**

**ANIMALS, ENGLAND**

**ANIMAL HEALTH**

**The Animal By-Products (Amendment) Regulations 2009**

<i>Made</i> - - - -	<i>30th April 2009</i>
<i>Laid before Parliament</i>	<i>1st May 2009</i>
<i>Coming into force</i> - -	<i>2nd May 2009</i>

The Secretary of State is designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to measures in the veterinary and phytosanitary fields for the protection of public health and in exercise of the powers conferred by that section makes the following Regulations.

**Citation, application and commencement**

1. These Regulations—

- (a) may be cited as the Animal By-Products (Amendment) Regulations 2009;
- (b) apply in England; and
- (c) come into force on 2nd May 2009.

**Amendment of the Animal By-Products Regulations 2005**

2.—(1) The Animal By-Products Regulations 2005<sup>(c)</sup> are amended as follows.

(2) In paragraph (1) of regulation 29, insert “, the Isle of Wight” after “the Isles of Scilly”.

30th April 2009

*Jane Kennedy*  
Minister of State  
Department for Environment, Food and Rural Affairs

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(a) S.I. 1999/2027.  
(b) 1972 c. 68.  
(c) S.I. 2005/2347.

## EXPLANATORY NOTE

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

These Regulations amend the Animal By-Products Regulations 2005 (the 2005 Regulations) to include the Isle of Wight as a remote area for the purposes of Article 24(1)(b) of 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 (OJ No L 273, 10.10.2002, p 1).

This amendment to the 2005 Regulations will enable the disposal of certain categories of animal by-products on the Isle of Wight by burning or burial on site, provided that the disposal is done in accordance with Part C of Annex II to Commission Regulation (EC) No 811/2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the intra-species recycling ban for fish, the burial and burning of animal by-products and certain transitional measures (OJ No L 117, 13.5.2003, p 14).

An impact assessment has not been prepared for these Regulations, due to the need to take urgent action to ensure that a legal means of safe disposal of fallen stock is available to farmers on the Isle of Wight and to avoid a potential risk to public and animal health. No significant impact on the private, public or voluntary sectors is foreseen.

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£4.00