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WELSH STATUTORY INSTRUMENTS

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**2005 No. 1392 (W.106)**

**ANIMALS, WALES**

**The TSE (Wales) (Amendment) Regulations 2005**

*Made* - - - - 24 May 2005

*Coming into force* - - 31 May 2005

The National Assembly for Wales, being designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to measures in the veterinary field for the protection of public health, in exercise of the powers conferred by that section, after consultation as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>(3)</sup>, makes the following Regulations:

**Title and commencement**

1. These Regulations may be cited as the TSE (Wales) (Amendment) Regulations 2005, apply in relation to Wales and come into force on 31 May 2005.

**Amendment of the TSE (Wales) Regulations 2002**

2.—(1) The TSE (Wales) Regulations 2002<sup>(4)</sup> are amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1) of regulation 3 (interpretation) for the definition of “the Community Transitional Measures” substitute the following definition —

““the Community Transitional Measures” means —

- (a) Commission Regulation (EC) No. 1248/2001 of 22 June 2001 amending Annexes III, X and XI to Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards epidemio-surveillance and testing of transmissible spongiform encephalopathies<sup>(5)</sup>;
- (b) Commission Regulation (EC) No. 1326/2001 of 29 June 2001 laying down transitional measures to permit the changeover to Regulation (EC) No. 999/2001 of the European

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(1) S.I. 2003/1246.

(2) 1972 c. 68.

(3) OJ No. L31, 1.2.2002, p.1. That Regulation was last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (OJ No. L245, 29.9.2003, p.4).

(4) S.I. 2002/1416 (W.142), amended by S.I. 2003/2756 (W.267) and S.I. 2004/2735 (W.242).

(5) OJ No. L173, 27.6.2001, p.12.

Parliament and of the Council for the prevention, control and eradication of certain transmissible spongiform encephalopathies, and amending Annexes VII and XI to that Regulation(6);

- (c) Commission Regulation (EC) No. 270/2002 of 14 February 2002 amending Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards specified risk material and epidemio-surveillance for transmissible spongiform encephalopathies and amending Regulation (EC) No. 1326/2001 as regards animal feeding and the placing on the market of ovine and caprine animals and products thereof(7);
- (d) Commission Regulation (EC) No. 1494/2002 of 21 August 2002 amending Annexes III, VII and XI to Regulation (EC) No. 999/2001 of the European Parliament and the Council as regards monitoring of bovine spongiform encephalopathy, eradication of transmissible spongiform encephalopathy, removal of specified risk materials and rules for importation of live animals and products of animal origin(8);
- (e) Commission Regulation (EC) No. 1139/2003 of 27 June 2003 amending Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards monitoring programmes and specified risk material(9); and
- (f) Commission Regulation (EC) No. 1492/2004 of 23 August 2004 amending Regulation (EC) No. 999/2001 of the European Parliament and of the Council as regards eradication measures for transmissible spongiform encephalopathies in bovine, ovine and caprine animals, the trade and importation of semen and embryos of bovine and caprine animals and specified risk material(10);”.

(3) In paragraph (2)(b) of regulation 33 (removal of specified risk material from carcasses in slaughterhouses) insert the phrase “, ileum” before the word “and” where it appears first.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(11).

24 May 2005

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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(6) OJ No. L177, 30.6.2001, p.61.  
(7) OJ No. L45, 15.2.2002, p.4.  
(8) OJ No. L225, 22.8.2002, p.3.  
(9) OJ No. L160, 28.6.2003, t.22.  
(10) OJ No. L274, 24.8.2004, t.3.  
(11) 1998 c. 38.

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## EXPLANATORY NOTE

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

1. These Regulations amend the TSE (Wales) Regulations 2002 (S.I.2002/1416 (W.142) as already amended).
2. These Regulations amend S.I. 2002/1416 (W.142) by —
  - (a) bringing up to date the definition of “the Community Transitional Measures” in regulation 3(1) of that instrument so as to cover the amendment of Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ No. L147, 31.5.2001, p.1) by —
    - (i) Commission Regulation (EC) No. 1494/2002 (OJ No. L225, 22.8.2002, p.3),
    - (ii) Commission Regulation (EC) No. 1139/2003 (OJ No. L160, 28.6.2003, p.22), and
    - (iii) Commission Regulation (EC) No. 1492/2004 (OJ No. L274, 24.8.2004, p.3) (regulation 2(2)), and
  - (b) adding the ileum to the list of tissues that have to be removed from older sheep and goats that have been slaughtered in a slaughterhouse or brought to a slaughterhouse following slaughter elsewhere (regulation 2(3)).
3. A regulatory appraisal of the effect that these Regulations will have on the costs of business has been prepared pursuant to section 65 of the Government of Wales Act 1998 and placed in the Library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 1st Floor, Southgate House, Cardiff CF10 1EW.