
WELSH STATUTORY INSTRUMENTS

2005 No. 2902

The TSE (Wales) (Amendment) (No. 2) Regulations 2005

7. After regulation 25, there are inserted the following regulations—

“Use and storage of feeding stuffs containing fishmeal

25A.—(1) Subject to paragraph (2), any person who—

- (a) uses or stores any feedingstuff containing fishmeal for feeding to non-ruminant farmed animals; and
- (b) fails to comply with paragraph 2.IB(f) of Annex IV to the Community TSE Regulation,

is guilty of an offence.

(2) For the purposes of the derogation in paragraph 2.IB(f) of that Annex, no person is to use or store any feeding stuff containing fishmeal on premises where ruminants are kept unless that person is registered by the National Assembly for Wales for that purpose in accordance with paragraph (3).

(3) The National Assembly for Wales is to grant a registration under paragraph (2) where the occupier has declared to it in writing that measures are implemented on the premises in question to prevent the feedingstuffs being fed to ruminant animals on those premises.

(4) Any person who fails to comply with paragraph (2) is guilty of an offence.

(5) A person guilty of an offence under this regulation is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term of three months or both; or
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or both.

Samples sent to laboratories and reporting requirements

25B.—(1) Up to and including 31 December 2005, where an operator of an establishment producing feedingstuffs sends a sample to a laboratory for testing for any purpose in connection with the requirements of Annex IV of the Community TSE Regulation, he or she will supply in writing with the sample—

- (a) the name and address of the premises at which the sample was taken;
- (b) the date on which the sample was taken; and
- (c) the description and identity of the sample.

(2) The operator will also supply in writing with the sample—

- (a) confirmation whether or not the sample was taken from a feedingstuff or an ingredient for the feeding of farmed animals—
 - (i) which has been imported from a third country, or
 - (ii) which has been, or is intended to be, placed on the market; and, if so,

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(b) details of the species of animal for which the feedingstuff or ingredient is intended.

(3) Any—

(a) person who submits a sample to a laboratory for analysis pursuant to paragraph (1); or

(b) occupier of the laboratory, other than the Community reference laboratory, to which that sample is sent,

will inform the National Assembly for Wales; with all practicable speed if there is any evidence arising from that sample of a breach of these Regulations or of Annex IV to the Community TSE Regulation.”.

Commencement Information

II Reg. 7 in force at 19.10.2005, see [reg. 1](#)

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Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2006/1226 Sch. 8](#)