
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations revoke and re-enact with certain changes the Bovine Products (Restriction on Placing on the Market) (Wales) Regulations 2005 (S.I.2005/3501 (W.228) (Cy.228), which gave effect in relation to Wales to Article 1.1 of Commission Decision 2005/598/EC prohibiting the placing on the market of products derived from bovine animals born or reared within the United Kingdom before 1 August 1996 for any purpose and exempting such animals from certain control and eradication measures laid down in Regulation (EC) No. 999/2001 (OJ No. L204, 5.8.2005, p.22). In doing so, these Regulations ensure that that Article continues to have effect in relation to Wales. The revocation of the Bovine Products (Restriction on Placing on the Market) (Wales) Regulations 2005 is effected by regulation 9 of these Regulations.

2. Article 1.1 of Commission Decision 2005/598/EC provides that certain products derived from bovine animals born or reared within the United Kingdom before 1 August 1996 may not be placed on the market.

3. The prohibition contained in Article 1.1 of Commission Decision 2005/598/EC is now given effect by regulation 3 of these Regulations.

4. The changes effected by these Regulations— which are not relevant to the prohibition contained in Article 1.1 of Commission Decision 2005/598/EC- are necessary in the light of the coming into force of the Food Hygiene (Wales) Regulations 2005 (S.I. 2005/3292 (W.252) (Cy.252), which provide for the execution and enforcement in relation to Wales of certain Community instruments relating to food hygiene.

5. These Regulations also—

- (a) apply with modifications certain provisions of the Food Safety Act 1990 (1990 c. 16) for the purposes of these Regulations (regulation 4);
- (b) provide for the inspection and seizure of products that are suspected of having been placed on the market in contravention of regulation 3 (regulation 5);
- (c) create offences and penalties (regulation 6);
- (d) make provision for their enforcement (regulation 7); and
- (e) make a consequential amendment to the Animal By-Products (Identification) Regulations 1995 (S.I. 1995/614) in so far as they apply in relation to Wales (regulation 8).

6. A full Regulatory Appraisal of the effect that these Regulations will have on the costs of business has been prepared and placed in the library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff, CF10 1EW.