
WELSH STATUTORY INSTRUMENTS

2006 No. 1293

The Animal By-Products (Wales) Regulations 2006

PART 8

Administration and enforcement

Transitional measures: photographic products from gelatine

51.—(1) Notwithstanding regulation 4, in accordance with Article 1 of Commission Decision [2004/407/EC](#), the use of gelatine is authorised for the manufacture of photographic products if it has been—

- (a) produced from Category 1 material in accordance with that Decision; and
- (b) imported in accordance with that Decision.

(2) The manufacture of photographic products must be carried out in the photographic factory listed in Annex I to that Decision, and in accordance with an approval granted for the purpose by the National Assembly.

(3) The National Assembly must immediately suspend the approval if the conditions of this regulation are not complied with.

(4) No person must—

- (a) transport the photographic gelatine in a vehicle that at the same time transports any product intended for food or feed, including gelatine intended for other purposes than use in the photographic industry;
- (b) use the imported gelatine other than in the approved photographic factory;
- (c) use it for any purpose other than photographic production; or
- (d) send it to another member State.

(5) The operator of the approved photographic factory must ensure that any surpluses or residues of and other waste derived from the photographic gelatine are—

- (a) transported in sealed leak-proof containers labelled ‘for disposal only’ in vehicles under satisfactory hygiene conditions;
- (b) disposed of as waste by incineration in accordance with Directive [2000/76/EC](#) of the European Parliament and of the Council (1) or in a landfill site in accordance with Council Directive [1999/31/EC](#)(2); or
- (c) exported to the country of origin in accordance with Council Regulation ([EEC](#)) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community (3).

(1) OJNo. L 332, 28.12.2000, p.91.

(2) OJ No. L 182, 16.7.1999, p.1; Directive as last amended by Regulation ([EC](#)) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p.1).

(3) OJ No. L 30, 6.2.1993, p. 1; Regulation as last amended by Commission Regulation ([EC](#)) No 2557/2001 (L 349, 31.12.2001, p.1).

(6) The operator of the approved photographic factory must keep records for at least two years detailing the purchases and uses of photographic gelatine, as well as the disposal of residues and surplus material.

(7) An inspector may serve a notice on any person in possession or control of any material to which this regulation applies and which has not been transported, used or disposed of in accordance with this regulation, requiring the inspector to dispose of the material as specified in the notice.

(8) Failure to comply with any provision of this regulation or a notice served under it is an offence.