

SCHEDULE 2

Regulation 27

Consequential Amendments

The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991

1. In regulation 2 of the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991(1)—

- (a) in paragraph (1)(i), for “Article 7(1) or 7(2)” substitute “Article 21(1) to (3)”; and
- (b) in paragraph (2), for the definition of “the Community Regulation” substitute—

““the Community Regulation” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”.

The Waste Management Licensing Regulations 1994

2. In regulation 20 of the Waste Management Licensing Regulations 1994(2), for paragraph (9) substitute—

“(9) In this regulation, in relation to Wales, “animal by-products” has the meaning given in Article 3(1) of the Community Regulation and “Community Regulation” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation).”.

The Animal By-Products (Identification) Regulations 1995

3.—(1) The Animal By-Products (Identification) Regulations 1995(3) are amended as follows.

(2) In regulation 2(1)—

- (a) omit the definition of “the 2003 Regulations”;
- (b) for the definition of “approved incineration plant” substitute—

““approved incineration plant” means an incineration plant which is approved under Article 24(1)(b) of the Community Regulation;”;

- (c) for the definition of “approved rendering plant” substitute—

““approved rendering plant” means a Category 2 processing plant which is approved under Article 24(1)(a) of the Community Regulation;”;

- (d) for the definition of “the Community Regulation” substitute—

““the Community Regulation” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”;

- (e) for the definition of “specified bovine offal” substitute—

““specified risk material” has the meaning given in Article 3(18) of the Community Regulation;”.

(1) S.I. 1991/1624, amended by S.I. 2006/937; there are other amending instruments but none is relevant.

(2) S.I. 1994/1056, amended by S.I. 2006/937; there are other amending instruments but none is relevant.

(3) S.I. 1995/614, relevant amending instruments are S.I. 1995/1955, 2002/1619, 2003/1484, S.I. 2006/14.

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- (3) For regulation 4(b) substitute—
 - “(b) affect the operation of the Animal By-Products (Enforcement) (No. 2) (Wales) Regulations 2011 or any order made, or having effect, under the Animal Health Act 1981.”.
- (4) In regulation 5—
 - (a) in paragraph (1)(f), for “specified bovine offal” substitute “specified risk material”;
 - (b) in paragraph (2)(c), for “the 2003 Regulations” substitute “the Community Regulation”;
 - and
 - (c) in paragraph (2)(d), for “the 2003 Regulations” substitute “the Community Regulation”.
- (5) In regulation 9(3)—
 - (a) in sub-paragraph (d), for “Article 2.1(c)” substitute “Article 9”; and
 - (b) in sub-paragraph (e), for “Article 2.1(d)” substitute “Article 10”.

The Bovine Offal (Prohibition) (England, Wales and Scotland) (Revocation) Regulations 1995

4. In the Bovine Offal (Prohibition) (England, Wales and Scotland) (Revocation) Regulations 1995(4), omit regulation 3.

The Products of Animal Origin (Import and Export) Regulations 1996

5.—(1) The Products of Animal Origin (Import and Export) Regulations 1996(5) are amended insofar they relate to Wales as follows.

- (2) In regulation 1(2)—
 - (a) omit the definition of “Directive 90/667”;
 - (b) in the definition of “product of animal origin”, in sub-paragraph (f) for “Directive 90/667” substitute “Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”;
 - (c) after the definition of “Regulation 1274/91” insert—
 - ““Regulation (EC) No. 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);
 - “Regulation (EU) No. 142/2011” means Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.”.
- (3) In regulation 10, after each reference to “Directive 92/118” insert “, Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”.
- (4) In regulation 11(1)—
 - (a) in sub-paragraph (a)—
 - (i) after “Directive 92/118” insert “, Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”; and

(4) S.I. 1995/1955.

(5) S.I. 1996/3124, amended by S.I. 2006/2407; there are other amending instruments but none is relevant.

- (ii) for “paragraphs 1 to 11 or 13 to 15 of Schedule 3, under Directive 90/667” substitute “paragraphs 1 to 11 or 13 to 16 of Schedule 3”; and
- (b) in sub-paragraph (b)—
 - (i) after “Directive 92/118” insert “, Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”;
 - (ii) after “that Directive” insert “or Regulation”.
- (5) In regulation 12(1)—
 - (a) after “Directive 92/118” insert “, Regulation (EC) No. 1069/2009 or Regulation (EU) No. 142/2011”; and
 - (b) in sub-paragraph (a), for “paragraphs 1 to 11 or 13 to 15 of Schedule 3, under Directive 90/667” substitute “paragraphs 1 to 11 or 13 to 16 of Schedule 3”.
- (6) In Schedule 3, renumber the second paragraph 13 (Wild game) as paragraph 15 and then after paragraph 15, insert—

“Animal By-Products

16. Regulation (EC) No. 1069/2009 and Regulation (EU) No. 142/2011.”.

The Animal By-Products (Identification) (Amendment) (Wales) (No.2) Regulations 2003

6. In the Animal By-Products (Identification) (Amendment) (Wales) (No.2) Regulations 2003(6), omit regulation 4(b).

The Foot-and-Mouth Disease (Wales) Order 2006

- 7.—(1) The Foot-and-Mouth Disease (Wales) Order 2006(7) is amended as follows.
- (2) In article 3(1), after the definition of “raw milk” insert—
- ““Regulation (EC) No. 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);
- “Regulation (EU) No. 142/2011” means Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.
- (3) In article 26, in paragraph (2)(b) for “point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002”, substitute “Articles 15 and 32 of Regulation (EC) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”.
- (4) In article 27(2)(c) for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.
- (5) In Schedule 4—
- (a) in paragraph 20(4), for “point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002” substitute “Articles 15 and 32 of Regulation (EC)

(6) S.I. 2003/2754 (W.265).

(7) S.I. 2006/179 (W.30), as amended.

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- No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”; and
- (b) in paragraph 33(4), for “point 5 of Section II in Part A of Chapter III of Annex VIII to Regulation (EC) No. 1774/2002” substitute “Articles 15 and 32 of Regulation (EC) No. 1069/2009 and Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”.
- (6) In Schedule 5—
- (a) in paragraph 2, for “article 20 of and points A(2)(c) or (d) of Chapter VI of Annex VIII to Regulation (EC) No. 1774/2002” substitute “Article 36 of Regulation (EC) No. 1069/2009 and point 28(c) and (d) of Annex I to Regulation (EU) No. 142/2011”;
- (b) in paragraph 3, for “article 20 of and point A(1) of Chapter VIII to Regulation (EC) No. 1774/2002” substitute “Article 36 of Regulation (EC) No. 1069/2009 and Article 24(4) of Regulation (EU) No. 142/2011”;
- (c) in paragraph 5, for “point B(3)(e)(ii) of Chapter IV of Annex VIII to Regulation (EC) No. 1774/2002” substitute “point 2(b)(ii) of Chapter IV of Annex XIII to Regulation (EU) No. 142/2011”;
- (d) in paragraph 6, for “point B(2)(d)(iv) of Chapter IV of Annex VII to Regulation (EC) No. 1774/2002” substitute “point 3(d) of Chapter I of Annex XIV to Regulation (EU) No. 142/2011”;
- (e) in paragraph 7, for “points B(2), (3) or (4) of Chapter II of Annex VIII to Regulation (EC) No. 1774/2002” substitute “Chapter II of Annex XIII to Regulation (EU) No. 142/2011”; and
- (f) in paragraph 8, for “points A(1), (3), or (4) of Chapter VII of Annex VIII to Regulation (EC) No. 1774/2002” substitute “Chapter VI of Annex XIII to Regulation (EU) No. 142/2011”.

The Foot-and-Mouth Disease (Control of Vaccination) (Wales) Regulations 2006

8. For paragraph 18(4) of the Schedule to the Foot-and-Mouth Disease (Control of Vaccination) (Wales) Regulations 2006(8) substitute—

“(4) The occupier of any premises to which dung or manure is transported by authority of a licence granted under sub-paragraph (3) must ensure that it is treated in accordance with—

- (a) Articles 15 and 32 of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council; and
- (b) Articles 10 and 22 of and Section 2 of Chapter I of Annex XI to Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council.”.

The Animals and Animal Products (Import and Export) (Wales) Regulations 2006

9. In Part 1 of Schedule 3 to the Animals and Animal Products (Import and Export) (Wales) Regulations 2006(9) for paragraph 7 substitute—

“Animal by-products

7. Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for

(8) S.I. 2006/180 (W.31), as amended.

(9) S.I. 2006/1536 (W.153), as amended.

human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation).

7A. Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.”.

The Products of Animal Origin (Third Country Imports) (Wales) Regulations 2007

10.—(1) The Products of Animal Origin (Third Country Imports) (Wales) Regulations 2007(10) are amended as follows.

(2) In regulation 2(1)—

- (a) omit the definition of “Regulation (EC) No. 1774/2002”; and
- (b) after the definition of “Regulation (EC) No. 136/2004” insert—

““Regulation (EC) No. 1069/2009” (“Rheoliad (EC) Rhif 1069/2009”) means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);

“Regulation (EU) No. 142/2011” (“Rheoliad (EU) Rhif 142/2011”) means Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

(3) In regulation 4—

- (a) in paragraph (1), at the end, insert “other than products to which Article 17 of Regulation (EC) No. 1069/2009 and Articles 11(2) and 12(2) of Regulation (EU) No. 142/2011 apply”;
- (b) in paragraph (4)(b), for “Regulation (EC) No. 1774/2002 and the Animal By-Products (Wales) Regulations 2006” substitute “Regulation (EC) No. 1069/2009 and the Animal By-Products (Enforcement) (No. 2) (Wales) Regulations 2011”; and
- (c) in paragraph (5)(b), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

(4) In regulation 5(1)(a), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

(5) In regulation 6(1)(a), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

(6) In regulation 21—

- (a) in paragraph (3)(b), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”; and
- (b) in paragraph (5)(b), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

(7) In regulation 22—

(10) S.I. 2007/376 (W.36), as amended.

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- (a) in paragraph (1), for “regulation 26 of the Animal By-Products (Wales) Regulations 2006” substitute “Articles 17 and 18 of Regulation (EC) No. 1069/2009 and Articles 11(2), 12(2) and 14 of Regulation (EU) No. 142/2011”; and
 - (b) in paragraph (3), for “regulation 26 of the Animal By-Products (Wales) Regulations 2006” substitute “Articles 17 and 18 of Regulation (EC) No. 1069/2009”.
- (8) In regulation 24(4), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.
- (9) Omit regulations 29 to 33.
- (10) In regulation 43(1)(b), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.
- (11) In Schedule 1—
- (a) in Part 8, for paragraph 11 substitute—
 - “11. Regulation (EC) No. 1069/2009 and Regulation (EU) No. 142/2011.”; and
 - (b) omit paragraphs 12 to 14.

The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006

11.—(1) The Avian Influenza (H5N1 in Poultry) (Wales) Order 2006(**11**) is amended as follows.

- (2) In article 2—
- (a) in the definition of “bird by-product”, for the words “Articles 4, 5 or 6 of Regulation (EC) No. 1774/2002” substitute “Articles 8, 9 or 10 of Regulation (EC) No. 1069/2009”;
 - (b) for the definition of “Regulation (EC) No. 1774/2002” substitute—
 - ““Regulation (EC) No. 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”;
 - (c) after the definition inserted by sub-paragraph (b) insert—
 - ““Regulation (EU) No. 142/2011” means Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.
- (3) In article 3(6), for sub-paragraph (c) substitute—
- “(c) the following plants if approved under Article 24 of Regulation (EC) No. 1069/2009—
 - (i) incineration plants;
 - (ii) co-incineration plants;
 - (iii) processing plants;
 - (iv) biogas plants;
 - (v) composting plants;
 - (vi) petfood plants.”.
- (4) In article 14—

(11) S.I. 2006/3309 (W.299), as amended.

(a) for paragraph (2) substitute—

“(2) But a veterinary inspector or an inspector acting under the direction of a veterinary inspector may licence the movement of any of the following bird by-products—

- (a) processed animal protein within the meaning of paragraph 5 of Annex I to Regulation (EU) No. 142/2011 which complies with the requirements of paragraph B of Section 1 of Chapter II of Annex X to that Regulation;
- (b) blood products within the meaning of paragraph 4 of Annex I to Regulation (EU) No. 142/2011 which comply with the requirements of paragraph B of Section 2 of Chapter II of Annex X to that Regulation;
- (c) rendered fats within the meaning of paragraph 8 of Annex I to Regulation (EU) No. 142/2011 which comply with the requirements of paragraph B of Section 3 of Chapter II of Annex X to that Regulation;
- (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation (EU) No. 142/2011 which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
- (e) hydrolysed protein within the meaning of paragraph 14 of Annex I to Regulation (EU) No. 142/2011 which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
- (f) dicalcium phosphate which complies with the requirements of paragraph B of Section 6 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
- (g) tricalcium phosphate which complies with the requirements of paragraph B of Section 7 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
- (h) collagen within the meaning of paragraph 11 of Annex I to Regulation (EU) No. 142/2011 which complies with the requirements of paragraph B of Section 8 of Chapter II of Annex X to that Regulation;
- (i) egg products which comply with the requirements of paragraph B of Section 9 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
- (j) processed pet food within the meaning of paragraph 20 of Annex I to Regulation (EU) No. 142/2011 which complies with the requirements of Chapter II of Annex XIII to that Regulation;
- (k) raw petfood within the meaning of paragraph 21 of Annex I to Regulation (EU) No. 142/2011 which complies with Chapter II of Annex XIII;
- (l) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No. 142/2011 which comply with the requirements of Chapter II of Annex XIII to that Regulation;
- (m) processed manure and processed manure products which comply with the requirements of Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011;
- (n) game trophies having undergone a complete taxidermy treatment ensuring their preservation at ambient temperatures within the meaning of Chapter VI of Annex XIII to Regulation (EU) No. 142/2011;
- (o) those by-products which are transported to designated plants within article 3(6) (c) for disposal, treatment, transformation or use which ensures inactivation of the avian influenza virus;
- (p) those products which are transported to users or collection centres authorised and registered in accordance with Article 23 of Regulation (EU) No. 142/2011

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- for the feeding of animals after they have been treated by a method approved by the competent authority which ensures inactivation of the avian influenza virus;
- (q) untreated feathers or parts of untreated feathers produced from poultry within the meaning of paragraph 30 of Annex I to Regulation (EU) No. 142/2011 which comply with the requirements of paragraph A of Chapter VII of Annex XIII to that Regulation;
 - (r) poultry feathers, feathers from wild game birds or parts of such feathers which have been treated with a steam current or by another method which ensures inactivation of the avian influenza virus.”;
- (b) in paragraph (3), for “Annex V to Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009 and Annex IV to Regulation (EU) No. 142/2011”; and
 - (c) in paragraph (4), for “Chapter X of Annex II to Regulation (EC) No. 1774/2002” substitute “Chapter III of Annex VIII to Regulation (EU) No. 142/2011”.

The Avian Influenza (H5N1 in Wild Birds) (Wales) Order 2006

12.—(1) The Avian Influenza (H5N1 in Wild Birds) (Wales) Order 2006(12) is amended as follows.

(2) In article 2—

- (a) in the definition of “bird by-product” for the words “Articles 4, 5 or 6 of Regulation (EC) No. 1774/2002” substitute “Articles 8, 9 or 10 of Regulation (EC) No. 1069/2009”;
- (b) for the definition of “Regulation (EC) No. 1774/2002” substitute—
 - ““Regulation (EC) No. 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”;
- (c) after the definition inserted by sub-paragraph (b) insert—
 - ““Regulation (EU) No. 142/2011” means Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive;”.

(3) In article 13(1), for sub-paragraph (c) substitute—

- “(c) the following plants if approved under Article 24 of Regulation (EC) No. 1069/2009—
 - (i) incineration plants;
 - (ii) co-incineration plants;
 - (iii) processing plants;
 - (iv) biogas plants;
 - (v) composting plants;
 - (vi) petfood plants.”.

(4) In Schedule 1—

- (a) in paragraph 13, for sub-paragraph (2) substitute—

(12) S.I. 2006/3310 (W.300), as amended.

“(2) A veterinary inspector may not grant or direct the grant of a licence under subparagraph (1) unless it is for a movement of—

- (a) processed animal protein within the meaning of paragraph 5 of Annex 1 to Regulation (EU) No. 142/2011 which complies with the requirements of paragraph B of Section 1 of Chapter II of Annex X to that Regulation;
- (b) blood products within the meaning of paragraph 4 of Annex I to Regulation (EU) No. 142/2011 which comply with the requirements of paragraph B of Section 2 of Chapter II of Annex X to that Regulation;
- (c) rendered fats within the meaning of paragraph 8 of Annex I to Regulation (EU) No. 142/2011 which comply with the requirements of paragraph B of Section 3 of Chapter II of Annex X to that Regulation;
- (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation (EU) No. 142/2011 which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
- (e) hydrolysed protein within the meaning of paragraph 14 of Annex I to Regulation (EU) No. 142/2011 which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
- (f) dicalcium phosphate which complies with the requirements of paragraph B of Section 6 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
- (g) tricalcium phosphate which complies with the requirements of paragraph B of Section 7 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
- (h) collagen within the meaning of paragraph 11 of Annex I to Regulation (EU) No. 142/2011 which complies with the requirements of paragraph B of Section 8 of Chapter II of Annex X to that Regulation;
- (i) egg products which comply with the requirements of paragraph B of Section 9 of Chapter II of Annex X to Regulation (EU) No. 142/2011;
- (j) processed pet food within the meaning of paragraph 20 of Annex 1 to Regulation (EU) No. 142/2011 which complies with the requirements of Chapter II of Annex XIII to that Regulation;
- (k) raw petfood within the meaning of paragraph 21 of Annex I to Regulation (EU) No. 142/2011 which complies with Chapter II of Annex XIII;
- (l) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No. 142/2011 which comply with the requirements of Chapter II of Annex XIII to that Regulation;
- (m) processed manure and processed manure products which comply with the requirements of Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011;
- (n) game trophies having undergone a complete taxidermy treatment ensuring their preservation at ambient temperatures within the meaning of Chapter VI of Annex XIII to Regulation (EU) No. 142/2011;
- (o) those by-products which are transported to designated plants within article 13(1)(c), processing plants for disposal, treatment, transformation or use which ensures inactivation of the avian influenza virus;
- (p) those products which are transported to users or collection centres authorised and registered in accordance with Article 23 of Regulation (EU) No. 142/2011 for the feeding of animals after they have been treated by a method approved by the competent authority which ensures inactivation of the avian influenza virus;

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- (q) untreated feathers or parts of untreated feathers produced from poultry within the meaning of paragraph 30 of Annex 1 to Regulation (EU) No. 142/2011 which comply with the requirements of paragraph A of Chapter VII of Annex XIII to that Regulation;
- (r) poultry feathers, feathers from wild game birds or parts of such feathers which have been treated with a steam current or by another method which ensures inactivation of the avian influenza virus.”;
- (b) in paragraph 13(3), for “Annex V to Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009 and Annex IV to Regulation (EU) No. 142/2011”;
- (c) in paragraph 13(5), for “Chapter X of Annex II to Regulation (EC) No. 1774/2002” substitute “Chapter III of Annex VIII to Regulation (EU) No. 142/2011”;
- (d) in paragraph 14(a), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009 and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”;
- (e) in paragraph 15(a), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009 and Section 2 of Chapter I of Annex XI to Regulation (EU) No. 142/2011”.

The Cattle Identification (Wales) Regulations 2007

13. For paragraph 3(3) of Schedule 3 to the Cattle Identification (Wales) Regulations 2007(13), substitute—

“(3) If the Welsh Ministers do not provide a replacement, the animal to which it relates must not be moved off a holding except (under the authority of a licence granted by the Welsh Ministers) to—

- (a) a plant approved under Article 24(1)(a), (b), (c) or (h) of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council; or
- (b) a registered collection centre which complies with Section 1 of Chapter II of Annex VI of Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council.”.

The Legislative and Regulatory Reform (Regulatory Functions) Order 2007

14. In Part 2 of the Schedule to the Legislative and Regulatory Reform (Regulatory Functions) Order 2007(14), under the cross-heading “animal health and welfare”—

- (a) omit the entry “Animal By-Products Regulations 2005”; and
- (b) after the entry “Veterinary Medicines Regulations 2008” insert “Animal By-Products (Enforcement) (No. 2) (Wales) Regulations 2011”.

The Cosmetic Products (Safety) Regulations 2008

15. In the Table in Schedule 3 to the Cosmetic Products (Safety) Regulations 2008(15), in entry number 419, for “Articles 4 and 5 respectively of Regulation (EC) No. 1774/2002 of the European Parliament and of the Council and ingredients derived therefrom”, substitute “Articles 8 and 9 respectively of Regulation (EC) No. 1069/2009 of the European Parliament and of the Council and ingredients derived therefrom”.

(13) S.I. 2007/842 (W.74).

(14) S.I. 2007/3544, amended by S.I. 2009/2981; there are other amending instruments but none is relevant.

(15) S.I. 2008/1284, amended by S.I. 2008/2173; there are other amending instruments but none is relevant.

The Animal Gatherings (Wales) Order 2010

16. In article 8(2) of the Animal Gatherings (Wales) Order 2010(16), for “Animal By-Products (Wales) Regulations 2006” substitute “Regulation (EC) No. 1069/2009 of the European Parliament and of the Council”.

The Environmental Permitting (England and Wales) Regulations 2010

17.—(1) The Environmental Permitting (England and Wales) Regulations 2010(17) are amended as follows insofar as they relate to Wales.

(2) In regulation 2(1)—

- (a) omit the definition “the Animal By-Products Regulations”; and
- (b) after the definition of “regulated facility” insert—

““Regulation (EC) No. 1069/2009” means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”.

(3) In paragraph 1 of Section 5.1 of Chapter 5 of Part 2 of Schedule 1, in the definition of “excluded plant”, for sub-paragraph (a)(vii) substitute—

“(vii) animal carcasses as regulated by Regulation (EC) No. 1069/2009;”.

(4) In Section 6.8 of Chapter 6 of Schedule 1, omit paragraph 1(g) and (i).

(5) In paragraph 2(3) of Schedule 2, for “the authority responsible for granting an authorisation under regulation 27 of the Animal By-Products Regulations” substitute “the competent authority for the purposes of Regulation (EC) No. 1069/2009”.

(6) In the table in paragraph T13(2) of Section 2 of Chapter 3 of Part 1 of Schedule 3, in the third entry (200199) for the words “the Animal By-Products Regulations” substitute “Regulation (EC) No. 1069/2009”.

(7) In paragraph T22 of Section 2 of Chapter 3 of Part 1 of Schedule 3—

- (a) in sub-paragraph (3)(b), for “an authorisation under regulation 27 of the Animal By-Products Regulations” substitute “the requirements of paragraphs 2(a) or (b) and 4 of Section 1 of Chapter II of Annex VI to Regulation (EU) No. 142/2011”; and
- (b) for sub-paragraph (4) substitute—

“(4) In this paragraph—

- (a) “animal by-product” has the meaning given in Article 3(1) of Regulation (EC) No. 1069/2009;
- (b) “collection centre” has the meaning given in paragraph 53 of Annex 1 to Commission Regulation (EU) No. 142/2011 implementing Regulation (EC) No. 1069/2009 of the European Parliament and of the Council.”.

The Transmissible Spongiform Encephalopathies (Wales) Regulations 2008

18.—(1) The Transmissible Spongiform Encephalopathies (Wales) Regulations 2008(18) are amended as follows.

(2) In regulation 2(1)—

- (a) omit the definition of “Regulation (EC) No. 1774/2002”; and

(16) S.I. 2010/900 (W.93).

(17) S.I. 2010/675, amended by S.I. 2010/2172; there are other amending instruments but none is relevant.

(18) S.I. 2008/3154 (W.282).

Status: This is the original version (as it was originally made).

(b) insert after the definition of “Regulation (EC) No. 882/2004”—

““Regulation (EC) No. 1069/2009” (“Rheoliad (EC) Rhif 1069/2009”) means Regulation (EC) No. 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No. 1774/2002 (Animal by-products Regulation);”.

(3) In regulation 4(2), for “Regulation (EC) No. 1774/2002” substitute “Regulation (EC) No. 1069/2009”.

(4) In Schedule 1, omit paragraph (b).

(5) In Schedule 6, omit paragraphs 1(2) and (3), 2(5), 3 and 18.

The Zoonoses and Animal By-Products (Fees) (Wales) Regulations 2008

19.—(1) The Zoonoses and Animal By-Products (Fees) (Wales) Regulations 2008(19) are amended as follows.

(2) In regulation 2, omit the definition of “the 2006 Regulations”.

(3) In regulation 3, omit “regulation 21 of the 2006 Regulations or” wherever it appears.