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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 419**

**ANIMALS**

**ANIMAL HEALTH**

**The Products of Animal Origin (Third Country Imports)  
(Scotland) Amendment (No. 2) Regulations 2006**

<i>Made</i>	- - - -	<i>9th August 2006</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>10th August 2006</i>
<i>Coming into force</i>	- -	<i>11th August 2006</i>

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972<sup>(1)</sup>, and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Products of Animal Origin (Third Country Imports) (Scotland) Amendment (No. 2) Regulations 2006 and shall come into force on 11th August 2006.

**Amendment to the Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2002**

2.—(1) The Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2002<sup>(2)</sup> are amended in accordance with this regulation.

(2) In Part VIII of Schedule 2 (import conditions for products)—

(a) for paragraph 4 of cross heading A (General) substitute—

“4. Commission Decision [2005/760/EC](#) concerning certain protection measures in relation to highly pathogenic avian influenza in certain third countries for the import of captive birds (O.J. No. L 285, 28.10.05, p.60), as last amended by Commission Decision [2006/522/EC](#) (O.J. No. L 205, 27.07.06, p.28).”;

(b) for paragraph 5 of cross heading A (General) substitute—

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(1) [1972 c. 68](#); section 2(2) was amended by the Scotland Act [1998 \(c. 46\)](#), Schedule 8, paragraph 15(3). The functions conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) [S.S.I. 2002/445](#) as amended by [S.S.I. 2005/645](#) and [2006/156](#).

“5. Commission Decision [2006/7/EC](#) concerning certain protection measures in relation to the import of feathers from certain third countries (O.J. No. L 5, 10.1.06, p.17) as last amended by Commission Decision [2006/521/EC](#) (O.J. No L205, 27.07.06, p.26).”;

(c) for paragraph 1 of cross heading E (Animal By Products) substitute–

“1. Regulation (EC) No. [1774/2002](#) of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption (O.J. No. L 273, 10.10.02, p.1) as last amended by Commission Regulation (EC) No. [208/2006](#) (O.J. No. L 36, 8.2.06, p.25), and as read with Commission Decision [2005/760/EC](#) (O.J. No. L 285, 28.10.05, p.60), as last amended by Commission Decision [2006/522/EC](#) (O.J. No. L 205, 27.07.06, p.28).”.

St Andrew's House,  
Edinburgh  
9th August 2006

*ROSS FINNIE*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

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

These Regulations amend the Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2002 (S.S.I. )[2002/445](#) (“the principal Regulations”).

The principal Regulations implement Council Directive [97/78/EC](#), which lays down the principles governing the organisation of veterinary checks on products entering the Community from third countries (O.J. No. L 24, 30.1.98, p.9). Schedule 2 to the principal Regulations lists the import conditions with which products must comply, by reference to the relevant Community legislation.

These Regulations amend Part VIII of Schedule 2 to the principal Regulations to refer to–

- (a) Commission Decision [2006/522/EC](#) (O.J. No. L 205, 27.07.06, p.28) which further amends Commission Decision [2005/760/EC](#) (concerning certain protection measures in relation to highly pathogenic avian influenza in certain third countries for the import of captive birds) (O.J. No. L 285, 28.10.05, p.60) (regulation 2(2)(a)); and
- (b) Commission Decision [2006/521/EC](#) (O.J. No L205, 27.07.06, p.26) which further amends Commission Decision [2006/7/EC](#) concerning certain protection measures in relation to the import of feathers from certain third countries (O.J. No. L 5, 10.1.06, p.17) (regulation 2(2)(b)).

These Regulations also update the reference to Regulation (EC) No. [1774/2002](#) of the European Parliament and of the Council laying down health rules concerning animal by products not intended for human consumption (O.J. No. L 273, 10.10.02, p.1) (regulation 2(2)(c)).

A Regulatory Impact Assessment has not been prepared for these Regulations.