

Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies

CHAPTER III

PREVENTION OF TSE

Article 6

Monitoring system

[^{F1} [The appropriate authority] shall carry out an annual monitoring programme for TSEs based on active and passive surveillance in accordance with Annex III. If available for the animal species, that programme shall include a screening procedure using rapid tests.

Rapid tests shall be approved for that purpose in accordance with [^{F3}any regulations made under Article 24] and listed in Annex X.]

[^{F4}1a The annual monitoring programme referred to in paragraph 1 must cover as a minimum the subpopulations listed in Article 2(1) of Commission Decision 2009/719.]

[^{F5}The first subparagraph of this paragraph 1a does not prevent the exercise by the appropriate authority of any power to disapply the requirement for the annual monitoring programme with respect to animals mentioned in that point in remote areas with a low animal density, where no collection of dead animals takes place, provided that the total number of animals excluded from the monitoring programme in the United Kingdom as a whole is not more than 10% of the bovine population in the United Kingdom.]

[^{F6}1b Annual monitoring programmes may be revised by the appropriate authority to determine the effectiveness of the measures in place and ensure protection of human and animal health based on a comprehensive risk analysis.]

2 [^{F7}The Secretary of State must inform the OIE] of the emergence of a TSE other than BSE.

3 All official investigations and laboratory examinations shall be recorded in accordance with Annex III, Chapter B.

4 [^{F8}The appropriate authority must, where possible, submit to their relevant Parliament an annual report] covering at least the information referred to in Annex III, Chapter B, Part I. The report for each calendar year shall be submitted at the latest by 31 March of the following year. ^{F9} ...

[^{F10}5 Rules for the implementation of this Article shall be adopted in accordance with the procedure referred to in Article 24(2).]

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council, CHAPTER III. (See end of Document for details)

Textual Amendments

- F1** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F2** Words in Art. 6(1) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 6(1) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(5)(a)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 6(1a) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(5)(b)(i)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 6(1a) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(5)(b)(ii)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Art. 6(1b) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(5)(c)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 6(2) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 6(4) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(4)(c)(i)** (as amended by S.I. 2020/1388, regs. 1(2)(a), **20(2)(c)**); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 6(4) omitted (31.12.2020) by virtue of The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(4)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Inserted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).

^{F10} Article 6a

Breeding Programmes

1 ^{F11} Appropriate authorities may confer together and with expert scientists to] introduce breeding programmes to select for resistance to TSEs in their ovine populations. Those programmes shall include a framework to recognise the TSE-resistant status of certain flocks and may be extended to include other animal species based on scientific evidence corroborating the resistance to TSE of particular genotypes of those species.

^{F12} The appropriate authority may by regulations provide for ovine breeding programmes to select breeds that show evidence of resistance to TSEs.]

3 ^{F13} ... The scientific results and overall consequences of the breeding programmes shall be evaluated regularly, and where necessary, those programmes shall be amended accordingly.]

Textual Amendments

- F10** Inserted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council, CHAPTER III. (See end of Document for details)

- F11** Words in Art. 6a(1) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(5)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Art. 6a(2) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(6)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 6a(3) omitted (31.12.2020) by virtue of The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(5)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F1}Article 7

Prohibitions concerning animal feeding

- 1 The feeding to ruminants of protein derived from animals shall be prohibited.
- 2 The prohibition provided for in paragraph 1 shall be extended to animals other than ruminants and restricted, as regards the feeding of those animals with products of animal origin, in accordance with Annex IV.

^{F14}3 The appropriate authority may, on the basis of a scientific assessment of the dietary needs of young ruminants decide to use any power that the appropriate authority has to allow the feeding to them of proteins derived from fish.

- 4 No imports or exports are permitted of—
- a feed intended for farmed animals which contains protein derived from mammals from countries, or regions thereof, with an undetermined BSE risk; or
 - b feed, other than feed for dogs, cats and fur animals, which contains processed protein derived from mammals intended for mammals from countries or regions thereof with an undetermined BSE risk;

except in accordance with a tolerance level prescribed by regulations under paragraph 5 or an individual exemption in regulations under Article 23a.]]

^{F15}5 On the basis of a favourable risk assessment the appropriate authority may by regulations prescribe a tolerance level for insignificant amounts of animal proteins in feedingstuffs caused through adventitious and technically unavoidable contamination.]

^{F16}6 The appropriate authority may by regulations make rules on the prevention of cross-contamination and on the methods of sampling and analysis required to check compliance with this Article.]

Textual Amendments

- F1** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F14** Art. 7(3)(4) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(7)(a)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Art. 7(5) substituted for Art. 7(4a) (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(7)(b)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F16** Art. 7(6) substituted for Art. 7(5) (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(7)(c)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council, CHAPTER III. (See end of Document for details)

[^{F1}Article 8

Specified risk material

[^{F17}1 Specified risk material, referred to and listed in Annex 5 and including at least the brain, spinal cord, eyes and tonsils of bovine animals aged over 12 months, and the vertebral column of bovine animals aged over 30 months, must—

- a be removed and disposed of in accordance with Annex 5 and with Regulation (EC) No 1069/2009;
- b not be imported into Great Britain from any country other than a member State.

2 Tissues from animals which have undergone one of the alternative tests listed in Annex 10, which is applied under the conditions provided for in Annex 5, and in relation to which the test results are negative, are not to be regarded as specified risk material.]

3 [^{F18}In parts of Great Britain] with a controlled or undetermined BSE risk, the laceration, after stunning, of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injection into the cranial cavity in connection with stunning, shall not be used on bovine, ovine or caprine animals whose meat is intended for human or animal consumption.

4 The data relating to age set out in Annex V may be adjusted. Such adjustments shall be based on the latest proven scientific findings concerning the statistical probability of the occurrence of a TSE in the relevant age groups of [^{F19}Great Britain's] bovine, ovine and caprine population.

[^{F20}5 The appropriate authority may by regulations—

- a prescribe the age of bovine animals from which the vertebral column is to be treated as specified risk material;
- b amend the list of specified risk material in Annex 5;
- c prescribe an alternative test to be listed in point 5 of Chapter C of Annex 10;
- d provide for exemptions;
- e prescribe, as respects any country or region with a controlled BSE risk—
 - i the date considered by the appropriate authority to be the date from which effective enforcement of a ban on use of mammalian protein in ruminant feed began, and
 - ii that only animals born before that date must have specified risk material removed and destroyed before being moved into or placed on the market.]]

Textual Amendments

- F1** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F17** Art. 8(1)(2) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, 2(6)(a) (as amended by S.I. 2020/1388, regs. 1(2)(a), 20(2)(d)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 8(3) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, 2(6)(b) (as amended by S.I. 2020/1388, regs. 1(2)(a), 20(2)(d)(ii)); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council, CHAPTER III. (See end of Document for details)

- F19** Words in Art. 8(4) amended (31.12.2020) by S.I. 2019/170, **reg. 2(6)(c)** (as substituted by The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(a), **20(2)(d)(iii)**)
- F20** Art. 8(5) substituted for Art. 8(5)(6) (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(8)** (with reg. 12) (as amended by S.I. 2020/1463, regs. 1(2)(a), **6(3)(c)**); 2020 c. 1, Sch. 5 para. 1(1)

^{F1}Article 9

Products of animal origin derived from or containing ruminant material

1 The products of animal origin listed in Annex VI shall be produced using production processes approved in accordance with [^{F21}regulations made by the appropriate authority].

2 Bones of bovine, ovine and caprine animals from countries or regions with a controlled or undetermined BSE risk shall not be used for the production of mechanically separated meat (MSM). ^{F22} ...

^{F23} ...]

[^{F24} Paragraphs 1 and 2 shall not apply, in the light of the criteria set out in point 5 of Annex V, to ruminants which have undergone an alternative test [^{F25}which has been approved by the appropriate authority, and] is listed in Annex X, where the results of the test were negative.]

^{F26}4

Textual Amendments

- F1** Substituted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F21** Words in Art. 9(1) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(9)(a)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F22** Words in Art. 9(2) omitted (31.12.2020) by virtue of The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(9)(b)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in Art. 9(2) omitted (31.12.2020) by virtue of S.I. 2019/170, **reg. 2(6A)** (as substituted by The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(a), **20(2)(e)**)
- F24** Substituted by Regulation (EC) No 220/2009 of the European Parliament and of the Council of 11 March 2009 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as regards the implementing powers conferred on the Commission.
- F25** Words in Art. 9(3) substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(9)(c)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F26** Art. 9(4) omitted (31.12.2020) by virtue of The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(9)(d)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council, CHAPTER III. (See end of Document for details)

Article 10

Education programmes

1 [F27 Appropriate authorities] shall ensure that staff of the competent authority, of diagnostic laboratories and colleges of agriculture and veterinary medicine, official veterinarians, veterinary practitioners, slaughterhouse personnel and animal breeders, keepers and handlers have been given training in the clinical signs, epidemiology and, in the case of staff responsible for carrying out checks, in interpreting laboratory findings relating to TSEs.

F28₂

Textual Amendments

- F27** Words in Art. 10(1) substituted (31.12.2020) by The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(7)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F28** Art. 10(2) omitted (31.12.2020) by virtue of The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/170), regs. 1, **2(7)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council, CHAPTER III.