
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 307

**The Animal By-Products (Enforcement)
(Scotland) Regulations 2013**

PART 6

Enforcement

Notices served by an authorised person

27.—(1) An authorised person may serve a notice in accordance with paragraph (2) where that person—

- (a) considers that there is a contravention of, or failure to comply with, an animal by-product requirement; or
- (b) reasonably suspects that, as a result of such a contravention or failure to comply, premises constitute a risk to human or animal health.

(2) A notice may be served on the occupier of any premises or the person in charge of the premises—

- (a) requiring the disposal and, where applicable, storage pending such disposal of animal by-products and derived products;
- (b) requiring the cleansing and disinfection of any premises and, where applicable, the method for such cleansing and disinfection; or
- (c) prohibiting animal by-products and derived products being—
 - (i) brought on to any premises;
 - (ii) brought on to any premises unless in accordance with conditions specified in the notice; or
 - (iii) brought on to any premises until the satisfactory completion of any cleansing and disinfection requirements specified in any notice under sub-paragraph (b).

(3) A notice served under paragraph (2) must be complied with at the expense of the person on whom the notice is served, and if it is not complied with, an authorised person may arrange for it to be complied with at the expense of the person on whom the notice was served.

(4) Paragraph (1) does not apply where Article 46(1) of the EU Control Regulation (suspensions, withdrawals and prohibitions on operations) applies.

(5) Failure to comply with a notice served under paragraph (2) is an offence.