

SCOTTISH STATUTORY INSTRUMENTS

2019 No. 71

The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019

PART 2

AMENDMENT OF REFERENCES IN SECONDARY LEGISLATION

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

2. In article 2(1) (interpretation) of the Foot-and-Mouth Disease (Scotland) Order 2006 ^{M1}—
- (a) in the definition of “the Directive”, insert at the end “, as last amended by Commission Implementing Decision (EU) 2018/1099 ^{M2} ”,
 - (b) in the definition of “health marked”, after “consumption” insert “, as last amended by Commission Implementing Regulation (EU) 2018/981 ^{M3} ”,
 - (c) in the definition of “identification marked”, after “origin” insert “, as last amended by Commission Regulation (EU) 2017/1981 ^{M4} ”,
 - (d) in the definition of “Regulation (EC) (No.) 1069/2009” insert at the end “, as last amended by Council Regulation (EU) No 1385/2013 ^{M5} ”,
 - (e) in the definition of “slaughterhouse”—
 - (i) in paragraph (a), insert at the end “, as last amended by Commission Implementing Regulation (EU) 2018/1587 ^{M6} ”,
 - (ii) in paragraph (b), for “) was” substitute “, as last amended by Commission Regulation (EU) 2017/1981 was ”.

Commencement Information

- II** Reg. 2 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

- M1** [S.S.I. 2006/44](#), relevant amending instruments are [S.S.I. 2007/455](#), [S.S.I. 2011/171](#), [S.S.I. 2012/321](#), [S.S.I. 2013/173](#), [S.S.I. 2013/307](#) and [S.S.I. 2018/391](#). The amendments made by [S.S.I. 2018/391](#) come into force on 28 February 2019.
- M2** OJ L 197, 3.8.2018, p.11.
- M3** OJ L 176, 12.7.2018, p.11.
- M4** OJ L 285, 1.11.2017, p.10.
- M5** OJ L 354, 28.12.2013, p.86, corrected by Corrigendum to Council Regulation (EU) No 1385/2013 (OJ L 122, 17.5.2018, p.35).
- M6** OJ L 264, 23.10.2018, p.20.

The Foot-and-Mouth Disease (Slaughter and Vaccination) (Scotland) Regulations 2006

3. In regulation 2(1) (interpretation) of the Foot-and-Mouth Disease (Slaughter and Vaccination) (Scotland) Regulations 2006 ^{M7}—

- (a) in the definition of “the Directive”, insert at the end “, as last amended by Commission Implementing Decision (EU) 2018/1099 ”,
- (b) in the definition of “health marked”, after “consumption” insert “, as last amended by Commission Implementing Regulation (EU) 2018/981 ”,
- (c) in the definition of “identification marked”, after “origin” insert “, as last amended by Commission Regulation (EU) 2017/1981 ”,
- (d) in the definition of “slaughterhouse”—
 - (i) in paragraph (a), insert at the end “, as last amended by Commission Implementing Regulation (EU) 2018/1587 ”,
 - (ii) in paragraph (b), for “) was” substitute “, as last amended by Commission Regulation (EU) 2017/1981 was ”.

Commencement Information

I2 Reg. 3 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

M7 [S.S.I. 2006/45](#), relevant amending instruments are [S.S.I. 2011/171](#), [S.S.I. 2012/321](#), [S.S.I. 2013/173](#), [S.S.I. 2013/307](#) and [S.S.I. 2018/391](#). The amendments made by [S.S.I. 2018/391](#) come into force on 28 February 2019.

The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Order 2006

4.—(1) The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Order 2006 ^{M8} is amended as follows.

- (2) In article 2 (interpretation)—
 - (a) omit the definition of “competent authority”,
 - (b) omit the definition of “the Directive”,
 - (c) in the definition of “hatchery”, for the words from “has the same” to the end substitute “ means an establishment for incubating eggs, hatching and supplying chicks ”,
 - (d) in the definition of “packing centre”, insert at the end “, as last amended by Commission Delegated Regulation (EU) 2017/2168 ^{M9} ”.

(3) In paragraph 17(j) of schedule 4 (measures in a protection zone), for the words from “in accordance with” to “foodstuffs” substitute “ as referred to in Chapter II of Section X of Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin ^{M10} ”.

Commencement Information

I3 Reg. 4 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

M8 [S.S.I. 2006/336](#), relevant amending instruments are [S.S.I. 2008/129](#), [S.S.I. 2008/395](#), [S.S.I. 2013/173](#) and [S.S.I. 2018/391](#). The amendments made by [S.S.I. 2018/391](#) come into force on 28 February 2019.

M9 OJ L 306, 22.11.2017, p.6.

M10 OJ L 139, 30.4.2004, p.55.

The Avian Influenza (Slaughter and Vaccination) (Scotland) Regulations 2006

5. In regulation 2(1) (interpretation) of the Avian Influenza (Slaughter and Vaccination) (Scotland) Regulations 2006 ^{M11}—

- (a) omit the definition of “competent authority”,
- (b) in the definition of “hatchery”, for the words from “has the same” to the end substitute “means an establishment for incubating eggs, hatching and supplying chicks”,
- (c) in the definition of “packing centre”, insert at the end “, as last amended by Commission Delegated Regulation (EU) 2017/2168”,
- (d) in the definition of “slaughterhouse”, in sub-paragraph (a), for “Commission Regulation (EU) 2018/455” substitute “Commission Implementing Regulation (EU) 2018/1587”.

Commencement Information

I4 Reg. 5 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

M11 [S.S.I. 2006/337](#), relevant amending instruments are [S.S.I. 2008/129](#), [S.S.I. 2008/395](#), [S.S.I. 2013/173](#) and [S.S.I. 2018/391](#). The amendments made by [S.S.I. 2018/391](#) come into force on 28 February 2019.

The Avian Influenza (H5N1 in Wild Birds) (Scotland) Order 2007

6. In article 2 (interpretation) of the Avian Influenza (H5N1 in Wild Birds) (Scotland) Order 2007 ^{M12}, in the definition of “Regulation (EC) No. 853/2004”, for “853” substitute “853/2004”.

Commencement Information

I5 Reg. 6 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

M12 [S.S.I. 2007/61](#), relevant amending instruments are [S.S.I. 2011/171](#), [S.S.I. 2013/307](#) and [S.S.I. 2018/391](#). The amendments made by [S.S.I. 2018/391](#) comes into force on 28 February 2019.

The Avian Influenza (H5N1 in Poultry) (Scotland) Order 2007

7.—(1) The Avian Influenza (H5N1 in Poultry) (Scotland) Order 2007 ^{M13} is amended as follows.

(2) In article 2 (interpretation)—

- (a) omit the definition of “the Commission Decision”,
- (b) in the definition of “competent authority”, for the words from “in a” to the end substitute “which, immediately before Commission Decision 2006/415 concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in the Community and repealing Decision [2006/135/EC](#) ceased to have effect, was responsible for compliance with obligations provided for in that Decision ^{M14}”,
- (c) after the definition of “protection zone” insert—

““Regulation (EC) No. 853/2004” means Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin”.

(3) Omit article 5 (areas A and B).

(4) In article 11(2)(b)(i) (restrictions on the movement of wild game bird products) omit the words from “of the European Parliament” to the end.

Commencement Information

I6 Reg. 7 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

M13 S.S.I. 2007/62, relevant amending instruments are S.S.I. 2011/171, S.S.I. 2013/173, S.S.I. 2013/307 and S.S.I. 2018/391. The amendments made by S.S.I. 2018/391 come into force on 28 February 2019.

M14 OJ L 164, 16.6.2006, p.51 (“the Decision”). The Decision was last amended by Commission Implementing Decision (EU) 2017/2410 of 20 December 2017 amending Decisions 2006/415/EC and 2007/25/EC and Implementing Decision 2013/657/EU concerning certain protection measures in relation to highly pathogenic avian influenza (OJ L 342, 21.12.2017, p. 13) which in particular amended Article 12 of the Decision to provide that the Decision was to apply until 31 December 2018.

The Cattle Identification (Scotland) Regulations 2007

8. In schedule 3 (cattle passports etc), Part 2 (movement and cattle passports), paragraph 18(1) (export to third countries) of the Cattle Identification (Scotland) Regulations 2007 ^{M15} omit “In accordance with Article 6(5) of Regulation (EC) No 1760/2000,”.

Commencement Information

I7 Reg. 8 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

M15 S.S.I. 2007/174.

The Products of Animal Origin (Disease Control) (Scotland) Order 2008

9.—(1) The Products of Animal Origin (Disease Control) (Scotland) Order 2008 ^{M16} is amended as follows.

(2) In article 2 (interpretation), after the definition of “premises” insert—

““Regulation No. 853/2004” means Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin”.

(3) In schedule 3 (special identification mark).

(a) in paragraph (1)(a) (identification mark on restricted meat from animals) omit the words from “of the European Parliament” in the first place they occur to the end,

(b) in paragraph (3) (identification mark on restricted meat from poultry)—

(i) omit sub-paragraph (a),

(ii) omit the “or” before sub-paragraph (b).

Commencement Information

I8 Reg. 9 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

M16 [S.S.I. 2008/158](#), relevantly amended by [S.S.I. 2009/174](#).

The Sheep and Goats (Records, Identification and Movement) (Scotland) Order 2009

10. In article 2(1) (interpretation) of the Sheep and Goats (Records, Identification and Movement) (Scotland) Order 2009^{M17}, in the definition of “slaughterhouse”, insert at the end “, as last amended by Commission Implementing Regulation (EU) 2018/981 ”.

Commencement Information

I9 Reg. 10 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

M17 [S.S.I. 2009/414](#), amended by [S.S.I. 2018/391](#). The amendments made by [S.S.I. 2018/391](#) come into force on 28 February 2019.

The Sheep Scab (Scotland) Order 2010

11. In article 2(1) (interpretation) of the Sheep Scab (Scotland) Order 2010^{M18}, in the definition of “treatment”, for “2009” substitute “ 2013^{M19} ”.

Commencement Information

I10 Reg. 11 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

M18 [S.S.I. 2010/419](#), relevantly amended by [S.S.I. 2013/173](#).

M19 [S.I. 2013/2033](#), to which there are amendments not relevant to this regulation.

The Trade in Animals and Related Products (Scotland) Regulations 2012

12.—(1) The Trade in Animals and Related Products (Scotland) Regulations 2012^{M20} are amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) in the definition of “Commission Decision [2007/275/EC](#)” omit “, as last amended by Commission Implementing Decision (EU) 2016/1196”,
- (b) in the definition of “Council Directive [64/432/EEC](#)” omit “, as last amended by Commission Implementing Decision (EU) 2015/819”,
- (c) in the definition of “Council Directive [91/68/EEC](#)” omit “, as last amended by Commission Implementing Decision (EU) 2016/2002”,
- (d) in the definition of “Council Directive [91/496/EEC](#)”, insert at the end “, as last amended by Regulation EU 2017/625^{M21} ”,

- (e) in the definition of “Council Directive [92/65/EEC](#)” omit “, as last amended by Commission Implementing Decision (EU) 2017/2174”,
- (f) in the definition of “Council Directive [97/78/EC](#)”, insert at the end “, as last amended by Council Directive 2013/20/EU ^{M22}”,
- (g) in the definition of “Regulation (EC) No 1069/2009” omit “, as last amended by Council Regulation (EU) No 1385/2013”.
- (3) In regulation 24 (admission of products into warehouses) omit “, Section 2”.
- (4) In regulation 30(2) (consignments from another member State constituting a risk to health), after “completion of the internal market” insert “, as last amended by Regulation EU 2017/625 ^{M23}”.
- (5) In paragraph 3 (poultry health scheme) in Part 1 (additional requirements for trade between member States) of schedule 2 (additional requirements in specific cases) omit “, as last relevantly amended by Commission Implementing Decision 2011/879/EU ^{M24}”.

Commencement Information

I11 Reg. 12 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

M20 [S.S.I. 2012/177](#), relevant amending instruments are [S.S.I. 2018/391](#) and [S.S.I. 2019/5](#). The amendments made by [S.S.I. 2018/391](#) come into force on 28 February 2019 and the amendments made by [S.S.I. 2019/5](#) come into force on 7 March 2019.

M21 OJ L 95, 07.04.2017, p.1.

M22 OJ L 158, 10.6.2013, p.234.

M23 OJ L 95, 07.04.2017, p.1.

M24 OJ L 343, 23.12.2011, p.105.

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

13. In regulation 2(1) (interpretation) of the Animal By-Products (Enforcement) (Scotland) Regulations 2013 ^{M25}, in the definition of “EU Control Regulation”, insert at the end “, as last amended by Council Regulation (EU) No 1385/2013”.

Commencement Information

I12 Reg. 13 in force at 28.3.2019, see reg. 1(1)(a)

Marginal Citations

M25 [S.S.I. 2013/307](#).

Changes to legislation:

There are currently no known outstanding effects for the The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019, PART 2.