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STATUTORY INSTRUMENTS

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**1998 No. 3071**

**ANIMALS**

**ANIMAL HEALTH**

**The Bovine Spongiform Encephalopathy  
(No. 2) (Amendment) Order 1998**

*Made - - - - 8th December 1998*

*Coming into force - - 4th January 1999*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 1, 8(1), 15(4), 32(2), 34(7), 35(1) and (1A), 36(5)(a), 72 and 83(2) of the Animal Health Act 1981(1) hereby make the following Order:—

**Title and commencement**

1. This Order may be cited as the Bovine Spongiform Encephalopathy (No. 2) (Amendment) Order 1998 and shall come into force on 4th January 1999.

**Amendment of the Bovine Spongiform Encephalopathy (No. 2) Order 1996**

2. Article 4(1) of the Bovine Spongiform Encephalopathy (No. 2) Order 1996(2) shall be amended as follows—

(a) the definition of “exposed animal” shall be revoked and the following definition substituted—

““exposed animal” means a bovine animal, other than an offspring animal, which has been exposed to the infection of the disease;” and

(b) after the definition of “MBM product” the following definition shall be inserted—

““offspring animal” means a bovine animal born on or after 1st August 1996 in the United Kingdom to a dam which—

(a) was affected or suspected of being affected with the disease when it gave birth to the animal; or

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(1) 1981 c. 22; see section 86(1) for definitions of “the Minister” and “the Ministers”; section 1 was applied to bovine spongiform encephalopathy by the Zoonoses Order 1988 (S.I. 1988/2264).

(2) S.I. 1996/3183, amended by S.I. 1997/2387.

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- (b) has subsequently become affected or suspected of being affected with the disease;”.

7th December 1998

*Jeff Rooker*  
Minister of State, Ministry of Agriculture,  
Fisheries and Food

8th December 1998

*Sewel*  
Parliamentary Under Secretary of State, Scottish  
Office

Signed by authority of the Secretary of State for Wales

8th December 1998

*Jon Owen Jones*  
Parliamentary Under Secretary of State, Welsh  
Office

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## EXPLANATORY NOTE

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

This Order, which extends to Great Britain, amends the BSE (No. 2) Order 1996 (S.I.1996/3183, as amended by S.I. 1997/2387) as a consequence of the BSE Offspring Slaughter Regulations 1998. The definition of “exposed animal” is amended to exclude any offspring animal, defined as a bovine animal born on or after 1st August 1996 in the United Kingdom to a dam which was affected or suspected of being affected with BSE when it gave birth to the animal or which has subsequently become affected or suspected of being affected with BSE.

A Regulatory Impact Assessment for this Order is not required.