
STATUTORY INSTRUMENTS

2005 No. 2347

The Animal By-Products Regulations 2005

PART 1

Introduction

Interpretation

2.—(1) In these Regulations—

“the Community Regulation” means 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⁽¹⁾ as amended by and as read with—

- (a) Commission Regulation (EC) No. 808/2003 amending 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⁽²⁾;
- (b) Commission Regulation (EC) No. 811/2003 implementing Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the intra-species recycling ban for fish, the burial and burning of animal by-products and certain transitional measures⁽³⁾;
- (c) Commission Regulation (EC) No. 813/2003 on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the collection, transport and disposal of former foodstuffs⁽⁴⁾;
- (d) Commission Decision 2003/326/EC on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the separation of Category 2 and Category 3 oleochemical plants⁽⁵⁾;
- (e) Commission Decision 2004/407/EC on transitional sanitary and certification rules under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards import from certain third countries of photographic gelatine⁽⁶⁾;
- (f) Commission Regulation (EC) No. 668/2004 amending certain Annexes to Regulation (EC) No. 1774/2002 of the European Parliament and of the Council, as regards the importation from third countries of animal by-products⁽⁷⁾;
- (g) Commission Regulation (EC) No. 878/2004 laying down transitional measures in accordance with Regulation (EC) No. 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes⁽⁸⁾;

(1) OJ No. L273, 10.10.2002, p.1.

(2) OJ No. L117, 13.5.2003, p. 1.

(3) OJ No. L117, 13.5.2003, p. 14.

(4) OJ No. L117, 13.5.2003, p. 22.

(5) OJ No. L117, 13.5.2003, p. 42.

(6) OJ No. L 151, 30.4.2004, p. 11 as corrected by a Corrigendum published in the Official Journal at OJ No. L208, 10.6.2004, p. 9 and as further corrected by a Corrigendum published in the Official Journal at OJ No. L 396, 31.12.2004, p. 63.

(7) OJ No. L112, 19.4.2004, p. 1.

(8) OJ No. L162, 30.4.2004, p. 62.

Status: Point in time view as at 28/09/2005. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the The Animal By-Products Regulations 2005, Section 2. (See end of Document for details)

- (h) Commission Regulation (EC) No. 79/2005 implementing Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation⁽⁹⁾.
- (i) Commission Regulation (EC) No. 92/2005 implementing Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats⁽¹⁰⁾;
- (j) Commission Regulation (EC) No. 93/2005 amending Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards processing of animal by-products of fish origin and commercial documents for the transportation of animal by-products⁽¹¹⁾;

“inspector” means a person appointed by the Secretary of State or a local authority to be an inspector for the purposes of these Regulations;

“local authority” means—

- (a) where there is, within the meaning of the Local Government Changes for England Regulations 1994⁽¹²⁾, a unitary authority for that local government area, that authority;
- (b) where there is not a unitary authority—
 - (i) in a metropolitan district, the council of that district;
 - (ii) in a non-metropolitan county, the council of that county; or
 - (iii) in each London borough, the council of that borough;
 - (iv) in the City of London, the Common Council.

(2) Category 1 material, Category 2 material and Category 3 material comprise the animal by-products set out in Articles 4, 5 and 6 respectively of the Community Regulation, and other expressions defined in the Community Regulation have the same meaning in these Regulations.

⁽⁹⁾ OJ No. L16, 20.1.2005, p. 46.

⁽¹⁰⁾ OJ No. L19, 21.1.2005, p. 27.

⁽¹¹⁾ OJ No. L19, 21.1.2005, p. 34.

⁽¹²⁾ S.I.1994/867 to which there are amendments not relevant to these Regulations.

Status:

Point in time view as at 28/09/2005. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Animal By-Products Regulations 2005, Section 2.