

**2008 No. 3196**

**ANIMALS, ENGLAND**

**ANIMAL HEALTH**

**The Zoonoses and Animal By-Products (Fees) (England) (No. 2)  
Regulations 2008**

<i>Made</i> - - - -	<i>14th December 2008</i>
<i>Laid before Parliament</i>	<i>17th December 2008</i>
<i>Coming into force</i> - -	<i>15th January 2009</i>

The Secretary of State, in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973(a) and paragraph 1A of Schedule 2 to the European Communities Act 1972(b) with the consent of the Treasury, makes the following Regulations.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Secretary of State that it is expedient for certain references to provisions of Community instruments to be construed as a reference to those provisions as amended from time to time.

**Title, application and commencement**

**1.**—(1) These Regulations may be cited as the Zoonoses and Animal By-Products (Fees) (England) (No. 2) Regulations 2008.

(2) They apply in England only.

(3) They come into force on 15th January 2009.

**Interpretation**

**2.** In these Regulations—

“the 2005 Regulations” means the Animal By-Products Regulations 2005(c);

“the European Regulation” means Regulation (EC) No 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents(d) as amended from time to time;

“official control samples” means samples taken by the Secretary of State under point 2.1.2.2 of the Annex to Commission Regulation (EC) No 1003/2005 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain

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(a) 1973 c. 51.

(b) 1972 c. 68.

(c) S.I. 2005/2347.

(d) OJ No L325, 12.12.2003, p1, as last amended by Council Regulation (EC) No 1237/2007 (OJ No L 280, 24.10.2007, p5).

salmonella serotypes in breeding flocks of *Gallus gallus* and amending Regulation (EC) No 2160/2003(a) as amended from time to time or point 2.1 of the Annex to Commission Regulation (EC) No 1168/2006 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in laying flocks of *Gallus gallus* and amending Regulation (EC) No 1003/2005(b) as amended from time to time.

### Fees

3. The fees prescribed in the Schedule must be paid to the Secretary of State by the person indicated in the Schedule and must be paid within 14 days of demand.

### Revocation

4. The Zoonoses and Animal By-Products (Fees) (England) Regulations 2008(c) are revoked.

14th December 2008	<p><i>Jane Kennedy</i> Minister of State Department for Environment, Food and Rural Affairs</p> <p><i>Tony Cunningham</i> <i>Bob Blizzard</i></p>
We consent	Two of the Lords Commissioners of Her Majesty's Treasury
8th December 2008	

## SCHEDULE

Regulation 3

<i>Activity</i>	<i>Fee (£)</i>	<i>Fee to be paid by:</i>
Taking or supervising the taking of official control samples	55 plus 25 per ½ hour (or part thereof)	The person in charge of the holding
Examination of official control samples	15	The person in charge of the holding
Processing of an application for approval of a laboratory under Regulation 21 of the 2005 Regulations or Article 12 of the European Regulation	13	The operator of the laboratory
Processing of annual registration documentation in respect of a laboratory approved under Regulation 21 of the 2005 Regulations or Article 12 of the European Regulation	31	The operator of the laboratory

(a) OJ No L 170, 1.7.2005, p12, amended by Commission Regulation (EC) No 1168/2006 (OJ No L 211, 1.8.2006, p 4).  
(b) OJ No L 211, 1.8.2006, p 4.  
(c) S.I. 2008/2270.



## EXPLANATORY NOTE

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

These Regulations, which apply in England, revoke the Zoonoses and Animal By-Products (Fees) (England) Regulations 2008 (S.I. 2008/2270) and remake them with additional fees for conducting tests farmers may request under Commission Regulation (EC) No 1237/2007 (OJ No L280, 24.10.2007, p5). These fees are the last three fees listed in the Schedule. The fee for taking or supervising the taking of official samples is also increased from £45 to £55.

They make provision for the Secretary of State to charge fees for activities required under Commission Regulation (EC) No 1003/2005 (OJ No L 170, 1.7.2005, p12), Commission Regulation (EC) No 1168/2006 (OJ No L 211, 1.8.2006, p 4), Regulation (EC) No 2160/2003 (OJ No L 325, 12.12.2003, p1) and the Animal By-Products Regulations 2005 (S.I. 2005/2347). The activities and the fees are listed in the table of fees in the Schedule.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector has been produced and placed in the library of each House of Parliament. Copies may be obtained from the Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London, SW1P 3JR.

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