
EXPLANATORY NOTE

(This note does not form part of the Regulations)

The Specified Risk Material Regulations 1997 ([SI 1997/2965](#)) (“the 1997 Regulations”) and the Specified Risk Material Order 1997 ([SI 1997/2964](#) as amended by [SI 2000/2811](#)) (“the 1997 Order”) define certain material from bovine animals, sheep and goats as Specified Risk Material and place restrictions on the use of such material for human consumption. The 1997 Regulations and the 1997 Order apply to the United Kingdom as a whole.

These Regulations implement in relation to Wales Article 1 of a European Commission Decision adopted on 6th December (“the Decision”). Article 1 of the Decision amends Commission Decision [2000/418/EC](#) regulating the use of material presenting risks as regards transmissible spongiform encephalopathies (OJNo. L158, 30.6.2000, p.76), by extending the definition of Specified Risk Material to include the entire intestine of bovine animals.

Regulation 2(2) of these Regulations amends regulation 4(1) of the 1997 Regulations, which deals with specified bovine material. By virtue of the amendment, a new paragraph (1) will replace the existing paragraph (1) of regulation 4. The new paragraph (1) will provide as follows —

The intestine from the duodenum to the rectum is now defined as specified bovine material, in respect of bovine animals which have been slaughtered or have died elsewhere than in Australia or New Zealand (paragraph 1(a));

The head, thymus, spleen and spinal cord derived from a bovine animal which has been slaughtered or has died in the United Kingdom or Portugal aged more than 6 months are defined as bovine risk material (paragraph 1(b));

The vertebral column, including dorsal root ganglia, derived from a bovine animal which has been slaughtered or which has died in the United Kingdom or Portugal aged more than 30 months, is defined as bovine risk material. There is an exception for bovine animals certified under the Beef Assurance Scheme (paragraph 1(c));

The skull, tonsils and spinal cord derived from a bovine animal which has been slaughtered or which has died outside the United Kingdom or Portugal (other than in Australia or New Zealand) aged over 12 months, are defined as bovine risk material (paragraph 1(d)).

Regulation 3 of these Regulations amends paragraph (1) of Article 4 of the 1997 Order in the same way.

Consultation in accordance with section 48(4) and (4B) of the Food Safety Act 1990 has taken place. The Assembly Minister for Health and Social Services decided pursuant to section 65(2) of the Government of Wales Act 1998 and Standing Order 22.3 of the Standing Orders of the National Assembly for Wales, that no regulatory appraisal should be carried out because, due to the requirement that the Decision be implemented by 1st January 2001, it was not reasonably practicable to do so in the time available.