



Cynulliad Cenedlaethol Cymru
The National Assembly for Wales

ADRODDIAD GAN Y PWYLLGOR DEDDFAU

LEGISLATION COMMITTEE REPORT

DRAFFT

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The Processed Animal Protein (Wales) Regulations 2001

Background

These Regulations give effect to Council Decision 2000/766/EC concerning protection measures with regard to transmissible spongiform encephalopathies and the feeding of animal protein, and Commission Decision 2001/9/EC concerning control measures required for the implementation of Council Decision 2000/766/EC.

Similar provision has been made for England with a coming into force date of 1 August 2001 (SI 2001/2376).

Standing Order 11.5

Potential reporting points have been identified in relation to the following matters. It is accordingly concluded that these points should be referred to the appropriate Assembly Minister for comment in accordance with SO 11.4.

Regulation 2(1) – “the BSE (No. 2) Order”

This term does not appear to be used in the regulations.

Regulation 2(1) – “swill”

This is defined as having the same meaning as in the Animal By-Products Order 1999. It does not appear that there is now a definition of “swill” in the 1999 Order, however, as the definition formerly in Regulation 3(1) was revoked in relation to Wales by SI 2001/1735 (W.122).

Regulation 3(2)(c)

Given the comment above in relation to the definition of “swill” the query is raised as to how this provision (which does not appear in the corresponding England regulations) is to be interpreted.

Regulation 10(7)(d)(ii)

It is queried why this requirement is worded in terms of the material being conveyed directly to a plant “in the member State of destination”, given that Regulation 10(5) – (7) is concerned with imports into Wales.

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