SCOTTISH STATUTORY INSTRUMENTS

2000 No. 345

FOOD

The Specified Risk Material Amendment (Scotland) Regulations 2000

Made - - - -	*29th September 2000*
Laid before the Scottish Parliament - - - -	*29th September2000*
Coming into force - -	*1st October 2000*

The Scottish Ministers in exercise of the powers conferred on them by sections 16(1)(a), (b), (c), (d) and (f), (2)(a) and (3), 17(1), 19(1)(a), 26 and 48(1) of and paragraphs 2(1), 3(1), 5 and 6(1)(a) of Schedule 1 to the Food Safety Act 1990(**1**), having had regard in accordance with section 48(4A)(**2**) of that Act to relevant advice given by the Food Standards Agency and after consultation in accordance with section 48(4) and (4B)(**3**) of that Act make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Specified Risk Material Amendment (Scotland) Regulations 2000 and come into force on 1st October 2000.

(2) These Regulations extend to Scotland only.

Amendments to the Specified Risk Material Regulations 1997

2.—(1) The Specified Risk Material Regulations 1997(**4**) are amended in accordance with the following paragraphs of this regulation.

(2) In paragraph (1) of regulation 2 (interpretation) the definitions of "class I specified risk material", "class II specified risk material" and "intestines" are omitted.

(3) In paragraph (1) of regulation 2 the following definition is substituted for the definition of "specified risk material"–

(**1**) 1990 c. 16. Sections 16(1) and (2), 19(1) and 48(1) were amended by the Food Standards Act 1999 (c. 28), Schedule 5, paragraph 8; section 17(1) was amended by paragraphs 8 and 12 of Schedule 5; amendments made by Schedule 5 which extend to Scotland shall be taken as pre commencement enactments for the purposes of the Scotland Act 1998 (c. 46) by virtue of section 40(2) of the Food Standards Act 1999. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(**2**) Section 48(4A) was inserted by paragraph 21 of Schedule 5 to the Food Standards Act 1999.

(**3**) Section 48(4B) was inserted by paragraph 21 of Schedule 5 to the Food Standards Act 1999.

(**4**) S.I. 1997/2965, amended in relation to the whole of Great Britain by S.I. 1998/2405 (itself amended by S.I. 1998/2431) and S.I. 1999/539 and amended in relation to Scotland by S.S.I. 2000/62.

""specified risk material" means–

(a) specified bovine material;

(b) specified sheep or goat material;

(c) any part of the animal remaining attached to the specified bovine material or specified sheep or goat material after dissection of the carcase;

(d) any animal material which comes into contact with specified bovine material or specified sheep or goat material after it has been removed from the carcase; and

(e) specified solid waste;".

(4) In paragraph (1) of regulation 3 (specified sheep or goat material) the phrase "class I" is omitted.

(5) Paragraph (2) of regulation 3 is omitted.

(6) In paragraph (3) of regulation 3–

(a) the phrase "class II" is omitted; and

(b) the words "or incinerated" are inserted between "rendered" and "whole".

(7) The following regulation is substituted for regulation 4 (specified bovine material)–

"**Specified bovine material**

4.—(1) In these Regulations, "specified bovine material" means–

(a) the following material derived from a bovine animal which was slaughtered or has died in the United Kingdom or Portugal at an age greater than 6 months–

(i) the entire head (excluding the tongue but including the brains, eyes, trigeminal ganglia and tonsils),

(ii) the thymus,

(iii) the spleen,

(iv) the intestines from the duodenum to the rectum, and

(v) the spinal cord;

(b) in relation to a bovine animal which was slaughtered or has died in the United Kingdom or Portugal at an age greater than 30 months, the vertebral column (including dorsal root ganglia); and

(c) the following material derived from a bovine animal which was slaughtered or has died at an age greater than 12 months, elsewhere than in the United Kingdom, Portugal, Australia or New Zealand–

(i) the skull (including the brains and eyes),

(ii) the tonsils,

(iii) the spinal cord, and

(iv) the ileum.

(2) Whole carcases of bovine animals are specified bovine material if they are removed to be rendered or incinerated whole from the place where they were slaughtered or died.

(3) In paragraph (1) above, the reference to Portugal does not include a reference to the Autonomous Region of the Azores.".

(8) The following paragraph is added to regulation 10–

"**12.** Nothing in paragraph (1) above shall require the removal of the vertebral column from the carcase of a bovine animal which was accompanied at the time of slaughter by