STATUTORY RULES OF NORTHERN IRELAND

2001 No. 377

ANIMALS

Specified Risk Material (Amendment) (No. 2) Order (Northern Ireland) 2001

Made - - - -	*16th October 2001*
Coming into operation	*6th November 2001*

The Department of Agriculture and Rural Development(**1**), in exercise of the powers conferred on it by Articles 2(3), 5(1), 19(*b*), (*e*), (*f*), (*i*) and (*k*), 24, 29(1) and (2), 32, 44, 46(7A) and 60(1) of the Diseases of Animals (Northern Ireland) Order 1981(**2**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Specified Risk Material (Amendment) (No.2) Order (Northern Ireland) 2001 and shall come into operation on 6th November 2001.

Amendments to the Specified Risk Material Order (Northern Ireland) 1997

2.—(1) The Specified Risk Material Order (Northern Ireland) 1997(**3**) shall be amended in accordance with paragraphs (2) to (8).

(2) In paragraph (1) of Article 2 (*Interpretation*)—

(a) the phrase "subject to paragraph (5)," is inserted at the beginning of paragraph (*c*) of the definition of "specified risk material"; and

(b) the following definition is inserted at the end—

"vertebral column" excludes the vertebrae of the tail and the transverse process of the lumbar vertebrae but includes dorsal root ganglia..

(3) The following paragraph is inserted at the end of Article 2—

"(5) Notwithstanding paragraph (*c*) of the definition of "specified risk material" in paragraph (1), where the carcase of a bovine animal containing vertebral column which is specified bovine material has been imported in accordance with Article 6(2)(*a*), the part

(**1**) Formerly the Department of Agriculture for Northern Ireland : *see*S.I. 1999/283 (N.I. 1)Art. 3(4)
(**2**) S.I. 1981/1115 (N.I. 22) as amended by S.I. 1984/702 (N.I. 2) Art. 17 and S.I. 1994/1891 (N.I. 6) Arts. 19, 22, 23(1), (2) and (3), 24(1) and Schedule as applied by the Zoonoses Order (Northern Ireland) 1997 (S.R. 1997 No. 548)
(**3**) S.R. 1997 No. 551 as amended by S.R. 2001 No.1

of the carcase not comprising the vertebral column shall not be regarded as specified risk material for the purposes of this Order.".

(4) In paragraph (1) of Article 3 (Specified sheep or goat material), the phrase "subject to paragraph (2)," is inserted before the phrase "specified sheep or goat material".

(5) The following paragraphs are inserted at the end of Article 3—

"(2) Material derived from a sheep or goat born, continuously reared and slaughtered in any of the countries specified in paragraph (3) is not specified sheep or goat material as defined by paragraph (1).

(3) The countries are—

Australia

Argentina

Botswana

Brazil

Chile

Costa Rica

Namibia

New Zealand

Nicaragua

Paraguay

Uruguay

Singapore and

Swaziland.".

(6) For Article 4 there shall be substituted the following Article—

"**4.**—(1) In this Order, "specified bovine material" means—

(a) subject to paragraph (3), the intestines from the duodenum to the rectum of a bovine animal, regardless of where it was slaughtered or died or its age at slaughter or death;

(b) the following material derived from a bovine animal which was slaughtered or died in the United Kingdom or Portugal when it was aged over 6 months—

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

(ii) the thymus,

(iii) the spleen,

(iv) the spinal cord, and

(v) subject to paragraph (4), in the case of such an animal which was slaughtered or died when it was aged over 12 months, the vertebral column; and

(c) subject to paragraph (3), the following material derived from a bovine animal which was slaughtered or died elsewhere than in Portugal or the United Kingdom when it was aged over 12 months—

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

(ii) the tonsils,

(iii) the spinal cord, and

(iv) (subject to paragraph (5)) the vertebral column.

(2) In each of sub–paragraphs (*b*) and (*c*) of paragraph (1) the reference to Portugal does not include a reference to the Autonomous Region of the Azores.

(3) Material derived from a bovine animal born, continuously reared and slaughtered in any of the countries specified in Article 3(3) is not specified bovine material as defined by paragraph (1)(*a*) or (*c*).

(4) Notwithstanding paragraph (1)(*b*)(v), the vertebral column of—

(a) a bovine animal born and continuously reared in Portugal or the United Kingdom and slaughtered there when it was aged over 12 months but no more than 30 months; or

(b) a beef assurance scheme animal,

shall not be regarded as specified bovine material for the purpose of this Order.

(5) Notwithstanding paragraph (1)(*c*)(iv), the vertebral column of a bovine animal born, continuously reared and slaughtered in Austria, Finland or Sweden shall not be regarded as specified bovine material for the purposes of this Order.

(6) In paragraph (4)(*b*), "beef assurance scheme animal" means a bovine animal such as is specified in regulation 3(3)(*a*) or (*b*) of the Fresh Meat (Beef Controls) Regulations (Northern Ireland) 1996(**4**).".

(7) In Article 6—

(a) the words "Subject to paragraph (2A)" are inserted at the beginning of paragraph (2); and

(b) the following paragraph is inserted after paragraph (2)—

"(2A) A person shall not import into Northern Ireland from outside the United Kingdom, Isle of Man or any of the Channel Islands a carcase of a bovine animal containing any vertebral column which is specified bovine material unless—

(a) the carcase is to be transported directly to premises designated under regulation 15(A) of the Specified Risk Material Regulations (Northern Ireland) 1997(**5**) for the removal of the vertebral column there; and

(b) not less than 72 hours before he intends to import the carcase, he has given notice of the intended import to the officer of the Department with responsibility for supervision of those premises, except where that officer has agreed with the person required to give such notice that notice of a shorter duration will be accepted, in which case the notice shall be of the agreed duration.".

(8) For Schedule 2 (Form of importation certificate) there shall be substituted the following—

(**4**) S.R. 1996 No. 404 as amended by S.R. 1996 No. 506, S.R. 2000 No. 78 and S.R. 2001 No.155

(**5**) S.R. 1997 No. 552 as amended by S.R. 1999 No. 157, S.R. 1999 No. 431, S.R. 2000 No. 295, S.R. 2001 No. 48, S.R. 2001 No. 196 and S.R. 2001 No. 376