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## EXPLANATORY NOTE

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

These Regulations give effect in part to Commission Decision [95/287/EC](#) amending Decision [94/474/EEC](#) concerning certain protection measures relating to bovine spongiform encephalopathy (O.J. No. L181, 1.8.95, p. 40) and in part to Article 4(1) of Commission Decision [98/272/EC](#) (O.J. No. L122, 24.4.98, p. 59) on epidemio-surveillance for bovine spongiform encephalopathy.

The Regulations—

- (a) enables samples to be taken for the purpose of enabling the Official Elisa tests for identification of ruminant protein in feed intended for ruminants to be carried out (regulation 3). The obligation to carry out those tests is contained in the text added to Article 3(3)(c) of Decision [94/474/EEC](#) by Article 1(1) of Decision [95/287/EC](#);
- (b) make provision for the investigation of bovine spongiform encephalopathy as part of a programme of monitoring carried out by the Department under Article 4(1) of Commission Decision [98/272/EC](#) (regulation 4(1)). This includes the inspection, examination and testing of bovine animals and carcasses, the taking of samples, marking the animals and their carcasses and examining records;
- (c) require that people in charge or in possession of bovine animals and carcasses of bovine animals co-operate with these investigations (regulation 4(2));
- (d) make provision in relation to entry onto premises by authorised officers of the Department (the remaining provisions of regulation 4);
- (e) prohibit the obstruction of and other activities in relation to such officers acting in execution of these Regulations (regulation 5); and
- (f) provide offences and penalties (regulation 6).