



National Assembly for Wales

STATUTORY INSTRUMENTS

2001 No. 3283 (W.272)

ANIMALS, WALES

ANIMAL HEALTH

**The Import and Export Restrictions (Foot-and-Mouth Disease) (Wales)
(No. 9) (Amendment) (No. 2) Regulations 2001**

Made 28th September 2001

Coming into force 29th September 2001

The National Assembly for Wales, being designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the Common Agricultural Policy of the European Community, in exercise of the powers conferred on it by that section, and of all other powers enabling it in that behalf, makes the following Regulations:

Title, application and commencement

1. These Regulations may be cited as the Import and Export Restrictions (Foot-and-Mouth Disease) (Wales) (No. 9) (Amendment) (No. 2) Regulations 2001; they apply to Wales and come into force on 29th September 2001.

Amendments to the Import and Export Restrictions (Foot-and-Mouth Disease) (Wales) (No. 9) Regulations 2001

2. -(1) The Import and Export Restrictions (Foot-and-Mouth Disease) (Wales) (No. 9) Regulations 2001(c) are amended in accordance with this regulation.

(2) In regulation 1(2) for "30th September 2001" there shall be substituted "30th November 2001".

(3) In regulation 2(1)-

(a) for the definition of "the Decision" there shall be substituted the following-

"the Decision" means Commission Decision 2001/356/EC of 4th May 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom and repealing Decision 2001/172/EC (d), as last amended by the Commission Decision of 28th September 2001(e);"; and

(a) S.I. 1999/2788.

(b) 1972 c.68.

(c) S.I. 2001/2529 (W.207), as amended by S.I. 2001/2628 (W.217).

(d) OJ No. L125, 5.5.2001, p.46.

(e) Commission Decision of 28th September 2001 amending for the seventh time Decision 2001/356/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom.

(b) after the definition of "restricted area" there shall be inserted the following-

"semen collection centre" means a semen collection centre authorised by the National Assembly for Wales for the purposes of regulation 8(2A) for the dispatch of frozen bovine semen;"

(4) After regulation 8(2) there shall be inserted the following-

"(2A) The prohibition in paragraph (1) shall not apply in relation to frozen bovine semen produced after 30 September 2001 in a semen collection centre in accordance with the provisions of Directive 88/407/EEC and with the following conditions-

- (a) the donor bull showed no clinical sign of foot-and-mouth disease on the day of collection of the semen;
- (b) the donor bull was kept in the semen collection centre for at least three months (which may include the isolation period of at least 30 days in isolation accommodation attached to the semen collection centre) prior to the collection of the semen;
- (c) no animal was introduced into the semen collection centre during the 30 days prior to the collection of the semen;
- (d) the semen collection centre was free of confirmed cases of foot-and-mouth disease for at least three months and no case of foot-and-mouth disease occurred within a 10 kilometre radius around the semen collection centre for the 30 days before and after the collection of the semen;
- (e) no animal in the semen collection centre was vaccinated against foot-and-mouth disease;
- (f) the donor bull showed a negative response to a test for antibodies against foot-and-mouth disease virus carried out at least 21 days after the collection of the last semen of the consignment and the negative test results were available before dispatch of the semen;
- (g) the frozen semen was stored for a period of at least 30 days between collection and dispatch and during this period no animal in the semen collection centre showed any sign of foot-and-mouth disease;
- (h) the semen was collected, processed and stored separately from semen which is not eligible for dispatch; and
- (i) all semen collected, processed and frozen in the semen collection centre is dispatched from the semen collection centre in a way that avoids any risk of introducing foot-and-mouth disease into the centre."

(5) In regulation 14(1) for the words "exporting equidae to another Member State" there shall be substituted the words "dispatching equidae".

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998 (a)

Dated 28th September 2001

Carwyn Jones

Assembly Secretary for Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement in Wales the Commission Decision of 28th September 2001 amending for the seventh time Decision 2001/356/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom (not yet published in the Official Journal).

The Regulations amend the Import and Export Restrictions (Foot-and-Mouth Disease) (Wales) (No. 9) Regulations 2001 (S.I. 2001/2529 (W.207), as amended by S.I. 2628 (W.217)) so as to-

- (a) extend the time that those Regulations are in force to midnight on 30th November 2001 (regulation 2(2));
- (b) permit the dispatch of frozen bovine semen produced after 30th September 2001 in accordance with specified conditions in a semen collection centre authorised by the National Assembly for Wales to dispatch such semen (regulation 2(4)); and
- (c) have the effect of requiring equidae dispatched from Wales to Northern Ireland or the Isle of Man to be accompanied by a health certificate (regulation 2(5)).

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