

2011 No. 454

AGRICULTURE, ENGLAND

LIVESTOCK INDUSTRIES

The Bovine Semen (England) (Amendment) Regulations 2011

<i>Made</i>	- - - -	<i>19th February 2011</i>
<i>Laid before Parliament</i>		<i>24th February 2011</i>
<i>Coming into force</i>	- -	<i>6th April 2011</i>

The Secretary of State, in whom the powers conferred by section 10 of the Animal Health and Welfare Act 1984(a) are now vested(b), makes these Regulations in exercise of those powers.

Title, application and commencement

1. These Regulations—

- (a) may be cited as the Bovine Semen (England) (Amendment) Regulations 2011;
- (b) apply in England; and
- (c) come into force on 6th April 2011.

Amendments to the Bovine Semen (England) Regulations 2007

2. The Bovine Semen (England) Regulations 2007(c) are amended in accordance with the following regulations.

Interpretation

3. In paragraph (1) of regulation 2, after the definition of “unlicensed premises” insert—

““unlicensed processing premises” means unlicensed premises—

- (a) for the processing of semen—
 - (i) collected at unlicensed premises or at a domestic collection centre, and
 - (ii) not intended for intra-Community trade, and
- (b) supervised by the centre veterinarian of an EC collection centre;”.

(a) 1984 c. 40; section 10 has been amended by the Statute Law (Repeals) Act 1993 (c. 50), by section 280(2) and (3) of, and Schedule 26, paragraph 34 to, the Criminal Justice Act 2003 (c. 44), and by S.I. 1990/2371.

(b) Functions conferred under the Animal Health and Welfare Act 1984 on “the appropriate Minister” are exercisable by the Secretary of State. They were transferred by article 2(2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002, S.I. 2002/794.

(c) S.I. 2007/1319.

Approval of bovine animals for use at unlicensed premises

- 4.—(1) In paragraph (1) of regulation 10 omit “, or for use as a teaser animal,”.
(2) In paragraph (4) of regulation 10 omit “or teaser animal used to collect such semen”.

Specific duties of centre veterinarians and operators of unlicensed premises

5. In regulation 16, after paragraph (1) insert—
“(1A) The duties of the centre veterinarian of an EC collection centre which are specified in paragraph (1B) must also be performed by that veterinarian when supervising unlicensed processing premises.
(1B) The duties are those set out in the following provisions of Part 3 of Schedule 3—
(a) sub-paragraphs (d), (e) and (f) of paragraph 1; and
(b) sub-paragraph (b) of paragraph (2).”.

Use of teaser animals

6. For regulation 21 substitute—

“Use of teaser animals

- 21.—(1) No person may use a teaser animal to assist in the collection of semen unless it is approved for that purpose by the Secretary of State.
(2) But no such approval is required in respect of a teaser animal used to assist in the collection of semen at unlicensed premises.”.

Processing of semen

7. In regulation 24, for paragraphs (a) and (b) substitute—
“(a) at an EC collection centre;
(b) at a domestic collection centre; or
(c) at unlicensed processing premises.”.

Supply of frozen semen

8. In regulation 28, in paragraph (2) before “stored” insert “previously”.

Measures applicable to EC collection centres

9. In Schedule 3, in paragraph 2 of Part 1 for “dose” substitute “collection”.

Measures applicable to a domestic collection centre

10. In Schedule 5, in paragraph 2 of Part 1 for “dose” substitute “collection”.

Duties of operators of unlicensed premises

11. In Schedule 7—
(a) in paragraph 1(c) for “or to a domestic collection centre for processing” substitute “, to a domestic collection centre or to unlicensed processing premises for processing”,
(b) for paragraph 1(c)(ii) substitute—
“(ii) where the semen is moved to an EC collection centre, the bovine animal has been subjected to the tests specified in paragraph 1(1) of Part 2 of Schedule 3 with negative results;

- (iia) where the semen is moved to a domestic collection centre or to unlicensed processing premises, the bovine animal has been subjected to the tests specified in paragraph 2 of Part 2 of Schedule 8 with negative results;”, and
- (c) in paragraph 2(2) for “of the collection centre” substitute “supervising the centre or premises”.

Jim Paice

Minister of State

19th February 2011

Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Bovine Semen (England) Regulations 2007 (S.I. 2007/1319) (“the 2007 Regulations”) which control the collection, processing and storage of bovine semen. The 2007 Regulations establish two regimes: one by which semen may be collected and processed for trade with other EU member States, and one by which semen may be collected for use in the United Kingdom.

The 2007 Regulations implement Council Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species (OJ No L 194, 22.7.1988, p 10), as last amended by Council Directive 2008/73/EC (OJ No L 219, 14.8.2008, p 40).

In particular, regulations 4 and 6 provide that the use of teaser cows does not require approval at unlicensed semen collection centres.

Regulations 3, 5, 7 and 11 (amending regulations 2, 16, 24 and Schedule 7 respectively of the 2007 Regulations) relate to unlicensed processing premises where semen collected either from unlicensed premises or from a domestic collection centre and not intended for intra-Community trade may be processed subject to supervision by an EC collection centre veterinarian.

A full impact assessment has not been produced for this instrument as no impact on the private, voluntary or public sectors is foreseen.

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