



Notification Number: 1996/377/UK

The Bovine Spongiform Encephalopathy (Amendment) Order 1996.

Date received : 24/09/1996
End of Standstill : Closed
Invocation of the Emergency Procedure : Yes

Message

MINISTERE DE L'INDUSTRIE ET DE LA RECHERCHE
ATT. M.

INSTITUT BELGE DE NORMALISATION,
ATT. M. CROON

INSPECTION DU TRAVAIL ET DES MINES
VIA MINISTERE DES AFFAIRES ETRANGERES
ATT. M. WEBER

MINISTERE DE L'INDUSTRIE
ATT. M. CAVANNA

DEPT. OF TRADE AND INDUSTRY, QUALITY AND EDUCATION DIVISION,
ATT. MRS. B. O'GRADY

GOVERNMENT SERVICE OF INDUSTRY AND COMMERCE, NSAI
ATT. MR. J. NULTY

MINISTERIE VAN ECONOMISCHE ZAKEN, (DEPT OR),
ATT. MR. VAN DER HEIDE

ERHVERVSFREMME STYRELSEN
INDUSTRIMINISTERIET
ATT. MR. KELD DYBKJAER

MINISTRY OF INDUSTRY, ENERGY & TECHNOLOGY
ATT. MR. Z.P. MAVROUKAS

HELLINIKOS ORG. TYPOPOSEOS
ATT. MR. MELAGRAKIS

BUNDESMINISTERIUM FUER WIRTSCHAFT (BMWI)
ATT. DR. WINKEL



BUNDESMINISTERIUM FUER WIRTSCHAFTLICHE ANGELEGENHEITEN
ATT. ABT I/A/4 FRAU GREGORICH / FRAU HASLINGER-FENZEL

MIN PARA RELACIONES CON LA COMUNIDA
ATT M. LUIS ANTONIO RICO URIOS

INSTITUTO PORTUGUES DA QUALIDADE
ATT MR. CANDIDO DOS SANTOS, PORTUGAL

KOMMERSKOLLEGIUM
ATT. MS. KERSTIN CARLSSON

MINISTRY OF TRADE AND INDUSTRY
ATT. MS. TOLONEN

DGS INTERNATIONAL BELGIUM

REP PERMANENTE ROYAUME UNI

REP PERMANENTE IRLANDE

REP PERMANENTE GRECE

EUROPEAN FREE TRADE ASSOCIATION SURVEILLANCE AUTHORITY

EUROPEAN FREE TRADE ASSOCIATION
ATT. MS. BAKKE-D'ALOYA

TELEX 001

COMMUNICATION FROM THE COMMISSION - SG (96) D/51686
DIRECTIVES 83/189/EEC, 88/182/EEC AND 94/10/EC

NOTIFIKATION - NOTIFIZIERUNG - NOTIFICATION - NOTIFICACION
NOTIFICATION - NOTIFICA - KENNISGEVING - NOTIFICACAO - ILMOITUS
ANMÄLAN : 96/0377/UK.

FRISTERNE INDLEDES IKKE -KEIN FRISTBEGINN - DOES NOT OPEN THE
DELAYS - NO ABRE EL PLAZO - N'OUVRE PAS DE DELAIS - NON FA
DECORRERE LA MORA - GEEN TERMIJNBEGIN - NAO INICIA O PRAZO
MÄÄRÄAIKA EI ALA TÄSTÄ - INLEDER INGEN FRIST.

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1. Structured Information Line

TLX 001 IND- 96 0377 UK- EN ----- 960924 --- ---

2. Member State

United Kingdom



3. Department Responsible

Department of Trade and Industry: Standards and Technical Regulations Directorate

3. Originating Department

Ministry of Agriculture, Fisheries and Food Animal Health
(Disease Control) Division

4. Notification Number

96/0377/UK

5. Title

The Bovine Spongiform Encephalopathy (Amendment) Order
1996.

6. Products Concerned

Mammalian meat and bone meal and material containing
mammalian meat and bone meal.

7. Notification Under Another Act

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8. Main Content

The proposed order amends the Bovine Spongiform
Encephalopathy Order 1996 as follows.

Sale of pet food at feed mills

Article 13 (2) of the 1996 Order permits the production of
material containing MBM (principally pet food) on the same
premises where animal feed is prepared, providing the two
processes and equipment used are completely separated.
However, the Order does not allow the sale of material
containing MBM at premises where animal feed is produced.

If this provision remains unchanged, a number of feed mills
will have to stop selling pet food at shops on their
premises. The shops concerned are already cancelling
orders for pet food and demanding that existing stocks are
collected and returned to the pet food manufacturers.

It is therefore proposed to amend the 1996 Order to permit
the sale of pet food from feed mills provided that, when
stored and presented for sale, the pet food is physically
separated from any animal feed or both materials are
securely packaged to prevent any spillage or leakage.
These safeguards will prevent any possibility of cross-
contamination of the animal feed.

Record keeping requirements for fertilisers.



Since the 1996 Order came into effect, the industry has pointed out that MBM on its own, rather than as an ingredient of another product, is sold for use as a fertiliser in domestic gardens. This is contrary to their previous advice. This being so, the Order requires the keeping of records beyond the point of retail sale and a consumer buying MBM for their garden would have to keep, for two years, records of the transportation and end use of the material. This would clearly be an unreasonable burden.

It is therefore proposed to amend the 1996 Order so that the record keeping requirement for MBM packaged for retail sale and in bags or containers of 25 kg or less is limited to manufacturers where the product goes directly to retailers and otherwise to wholesalers.

Confining the requirements in this way should still provide sufficient information to ensure that MBM is not being supplied to farmers or feed compounders, since it will still be traceable to the point of sale.

Definition of Mammalian Meat and Bone Meal (MBM)

Following further discussions with the industry, it is proposed that the definition of MBM be clarified to ensure that it covers all the products of rendering by referring directly to the standards contained in the Animal By-Products Order 1992.

9. Brief Statement of Grounds

- a) To prevent loss of business for feed mills and pet food manufacturers;
- b) to remove the need for cumbersome record keeping when MBM is used as a domestic garden fertiliser; and
- c) to ensure that the prohibitions and safeguards in the BSE Order 1996 apply to all the products of rendering.

10. Reference Documents - Basic Texts

- i. The draft Bovine Spongiform Encephalopathy (Amendment) Order 1996.
- ii. Not applicable.
- iii. Not applicable.

11. Invocation of the Emergency Procedure

Yes

12. Grounds for the Emergency

To ensure that scope for possible cross-contamination of animal feed by mammalian meat and bone meal which is not



caught by the current definition of MBM is eliminated as quickly as possible. The change is highly technical, so the scope of the definition is changed only very slightly, if there is a change at all. However, in view of the public health and consumer confidence importance of the issue, use of the urgency procedure is still considered vital.

13. Confidentiality

No

14. Fiscal measures

No.

D. WILLIAMSON
COMEUR
NNNN