



STATUTORY INSTRUMENTS.

**S.I. No. 345 of 2009**

---

EUROPEAN COMMUNITIES (TRANSMISSIBLE SPONGIFORM  
ENCEPHALOPATHIES AND ANIMAL BY-PRODUCTS)  
(AMENDMENT) (No. 2) REGULATIONS 2009

**(Prn. A9/1228)**

S.I. No. 345 of 2009

EUROPEAN COMMUNITIES (TRANSMISSIBLE SPONGIFORM  
ENCEPHALOPATHIES AND ANIMAL BY-PRODUCTS)  
(AMENDMENT) (No. 2) REGULATIONS 2009

I, BRENDAN SMITH, Minister for Agriculture, Fisheries and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving full effect to Commission Decision No. 2008/908/EC of 28 November 2008<sup>1</sup>, hereby make the following Regulations:

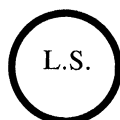
1. These Regulations may be cited as the European Communities (Transmissible Spongiform Encephalopathies and Animal by-products) (Amendment) (No. 2) Regulations 2009.

2. The European Communities (Transmissible Spongiform Encephalopathies and Animal by-products) Regulations 2008 (S.I. No. 252 of 2008) are amended—

(a) in Regulation 9 by the insertion after paragraph (4), of—

“(5) This Regulation applies to an animal originating from a Member State listed in the Annex to Commission Decision No. 2008/908/EC and referred to at point 2.1, 2.2 or 3.1 of Part 1 of Chapter A of Annex III to the TSE Regulation if the animal is over the age of 48 months.”, and

(b) by the insertion, in Regulation 30(1)(b) after “Chapter A” of “(as amended by Commission Decision No. 2008/908/EC of 28 November 2008)”.



GIVEN under my Official Seal,  
27 August 2009

BRENDAN SMITH  
Minister for Agriculture, Fisheries and Food

<sup>1</sup> O.J. L 327 of 5.12. 2008, p.24

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 1st September, 2009.*

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation)*

These Regulations transpose Commission Decision 2008/908/EC and authorise certain Member States viz: Belgium, Denmark, Germany, Ireland, Greece, Spain, France, Italy, Luxembourg, Netherlands, Austria, Portugal, Finland, Sweden and the UK to revise their BSE monitoring programmes to apply to animals originating from these countries above 48 months of age.

This raises the testing threshold to 48 months for animals for casualty and emergency slaughter (from 24 months), all bovine animals slaughtered for human consumption (from 30 months) and all bovine animals that die on farm (from 24 months) for animals originating from these Member States. There is no change for the age requirements in respect of animals originating in other Member States.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
nó trí aon díoltóir leabhar.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased directly from the  
GOVERNMENT PUBLICATIONS SALE OFFICE  
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,  
or by mail order from  
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,  
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,  
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)  
or through any bookseller.

---

€1.27

ISBN 978-1-4064-4853-5



9 781406 448535