

**Carwyn Jones AM/AC**

**Y Cwnsler Cyffredinol ac Arweinydd y Tŷ  
a'r Gweinidog dros Fusnes y Cynulliad a Chyfathrebu**

**Counsel General and Leader of the House  
also Minister for Assembly Business and  
Communications**



Llywodraeth Cynulliad Cymru  
Welsh Assembly Government

Lord Dafydd Elis-Thomas AM  
Presiding Officer  
National Assembly for Wales

30 July 2007

Dear Dafydd,

**THE TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHIES (WALES) (AMENDMENT)  
(NO. 2) REGULATIONS 2007**

I am writing to inform you that The Transmissible Spongiform Encephalopathies (Wales) (Amendment) Regulations 2007 (SI 2007/2043 (W. 168), which came into force on 18 July 2007, will need to be revoked and replaced. My predecessor's letter of 17 July, copy enclosed, explained why these Regulations were required and why it was necessary to breach the 21 day rule.

However, I have subsequently been advised that there are errors in the text of the Regulations, which unfortunately had not previously been identified. In particular, the references to the powers to grant, suspend or revoke approvals, authorisations, licences or registrations within the Regulations, which are to be conferred on the Food Standards Agency (in relation to authorisation of cutting plants) and on local authorities (in relation to authorisation and registration of butcher shops) need to be corrected. In addition the current Welsh text refers to bovine animals who are "over 30 months" at slaughter, but it should refer to bovine animals that are "30 months or less at slaughter". This inconsistency may result in butchers unknowingly breaching the Community TSE Regulations, by failing to remove specified risk material (SRM) from bovine animals who are 30 months or less at slaughter.

These errors necessitate the urgent revocation and replacement of the Transmissible Spongiform Encephalopathies (Wales) (Amendment) Regulations 2007 to ensure the continuation in Wales of current control arrangements on SRM, which are designed to prevent parts of the animal most likely to contain BSE infectivity from entering the food and animal feed chain.

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Similar Regulations came into force in England on 14 July 2007 and in Scotland and Northern Ireland on 18 July 2007. Therefore, to ensure consistency of enforcement across the UK, it is necessary to breach the 21 day rule in order that the replacement Regulations come into force as soon as possible in Wales.

A revised Explanatory Memorandum has been prepared, including the original Regulatory Impact Assessment and this has been laid, together with the Regulations, in Table Office.

A copy of this letter goes Dr Dai Lloyd, Chair of the Subordinate Legislation Committee and Chris Reading, Clerk to the Subordinate Legislation Committee.

A handwritten signature in black ink, appearing to read 'C. Reading', is centered on the page.