

HSC/04/56 Annex 2

Jane Kennedy MP
Minister of State for Work
Department of Work and Pensions
Richmond House
79 Whitehall
London SW1A 2NS

November 2004

Dear

Draft Anthrax Prevention Order 1971 etc. (Revocation) Regulations 2004

In November 2003, Des Browne wrote to the Health and Safety Commission (HSC) confirming his agreement to HSC initiating work to revoke the Anthrax Prevention Order 1971 (APO) and associated legislation. I am now pleased to enclose a copy of the regulations on behalf of the HSC.

In October 1995, HSC were asked to consult, in accordance with Section 37(3) of the Deregulation and Contracting Out Act 1994, on the revocation of a range of provisions, including the APO and its associated legislation. The original proposal was for revocation under regulatory reform legislation. However, HSC has now taken the view that revocation can be effected using the powers to make regulations available under the Health and Safety at Work etc. Act 1974, and that the consultation which has taken place is sufficient for this purpose.

In 1996 HSC consulted on, and agreed that, in principle, the APO and its associated legislation be removed without replacement. However, because of concerns expressed by industry during the consultation the HSC deferred setting a date until further discussions had taken place with industry. HSE has worked with industry to assist them in embracing this change. After many years of hard work, industry now accepts that the APO and associated

legislation may be removed without replacement of and without detriment to standards of health and safety at work. The Control of Substances Hazardous to Health Regulations 2002 (COSHH) already cover anthrax and the full implementation of COSHH will ensure that health and safety standards are maintained and improved in this industry.

In consultation with the industry, HSE is producing a model risk assessment for potential exposure to anthrax in all imported goat hair and wool, and will be visiting all the relevant workplaces to ensure that the changeover proceeds smoothly and that the health and safety management of the workforce is maintained and improved.

Therefore, I would be grateful if you would now agree to make these regulations, sign the printed copy, which will be submitted to you separately, and arrange for the regulations to be laid before parliament as soon as possible.

Yours sincerely

Bill Callaghan
Chair, Health and Safety Commission