STATUTORY RULES OF NORTHERN IRELAND

2019 No. 227

AGRICULTURE

ANIMALS

The Official Controls (Animals, Feed and Food) Regulations (Northern Ireland) 2019

Made - - - -	*13th December 2019*
Coming into operation	*14th December 2019*

The Department of Agriculture, Environment and Rural Affairs(**1**) is designated(**2**) for the purposes of section 2(2) of the European Communities Act 1972(**3**) in relation to the common agricultural policy of the European Union, medicinal products and measures in the phytosanitary fields for the protection of public health and makes these Regulations in exercise of the powers conferred by section 2(2) of that Act.

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Official Controls (Animals, Feed and Food) Regulations (Northern Ireland) 2019 and come into operation on 14th December 2019.

Interpretation

2.—(1) In these Regulations—

(**1**) Formerly the Department of Agriculture and Rural Development (DARD see section 3(4) of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I. 1)). DARD was renamed the Department of Agriculture, Environment and Rural Affairs (DAERA) by Article 1(2) of the Departments Act (Northern Ireland) 2016 (c.5 (N.I.)).

(**2**) S.I. 2000/2812

(**3**) 1972 c. 68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51) (the 2006 Act) and by Part 1 of Schedule 1 to the European Union (Amendment) Act 2008 (c.7) (the 2008 Act). Paragraph 1A of Schedule 2 was inserted by section 28 of the 2006 Act and by Part 1 of Schedule 1 to the 2008 Act. Section 2(2) and paragraph 1A of Schedule 2 are prospectively amended by section 1 of the European Union (Withdrawal) Act 2018 (c.16) from exit day (see section 20 of that Act).

"audit" means an audit of a competent authority carried out for the purposes of Article 6 in relation to relevant legislation;

"auditor" means a person carrying out an audit on behalf of the competent authority;

"the Department" means the Department of Agriculture, Environment and Rural Affairs;

"the EU Official Controls Regulations" means the EU Regulation and the Implementing and Delegated Regulations made under it;

"the EU Regulation" means Regulation (EU) 2017/625 of the European Parliament and of the Council of 15th March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products(**4**);

"the Feed and Food Regulations" means the Official Feed and Food Controls Regulations (Northern Ireland) 2009(**5**);

"inspector" means a person appointed to be an inspector for the purposes of these Regulations by the Department and includes a veterinary inspector, and in relation to relevant legislation means a person appointed as an inspector by the Department to act under that relevant legislation;

"official controls" means activities referred to in Article 2(1) other than those listed in Article 1(4);

"other official activities" has the meaning given by Article 2(2);

"premises" includes any place, vehicle, trailer, container, stall, moveable structure, ship or aircraft;

"relevant legislation" means European and domestic legislation governing the areas listed in sub-paragraphs (a), (c), (d), (e) and (f) of Article 1(2), with the exception of food and food safety, feed and feed safety legislation in so far as—

(a) such legislation is defined as "relevant feed law" or "relevant food law" in the Feed and Food Regulations;

(b) such legislation involves substances the use or presence of which on crops to produce or process feed or food may result in residues of those substances in feed or food; or

(c) it relates to feed additives or medicated feedingstuffs.

(2) In the definition of "relevant legislation", in paragraph (1)—

(a) "medicated feedingstuffs" means any mixture of feed with a veterinary medicinal product having properties for treating or preventing disease, restoring, correcting or modifying physiological functions in animals, or products and feed or feeds which are ready prepared for marketing and intended to be fed to animals without further processing; and

(b) "zootechnical additives" means feed additives in the categories mentioned in Article 6.1(d) and (e) of Regulation (EC) No 1831/2003 of the European Parliament and of the Council on additives for use in animal nutrition(**6**), with the exception of those belonging to the functional group listed in paragraph 4(a), (b) and (c) of Annex I to that Regulation.

(3) Unless otherwise provided in this regulation, terms used in these Regulations have the same meaning as they have in the EU Regulation.

(4) Unless the context otherwise requires, any reference in these Regulations to an "Article" or "Title" is to an Article or Title of the EU Regulation.

(**4**) OJ No. L 95, 7.04.2017, p. 1
(**5**) S.R. 2009 No. 427, as last amended by S.R. 2019 No. 218.
(**6**) O.J. L 268, 18.10.2003, p. 29, last amended by Regulation (EU) 2019/1381 (OJ No. L231, 6.9.2019, p.1).

(5) The Interpretation Act (Northern Ireland) 1954(**7**) shall apply to these Regulations as it applies to an Act of the Assembly.

Designation for the purposes of Article 4

3.—(1) The Department is designated the competent authority for the purposes of Article 4 in relation to relevant legislation.

(2) The competent authority must draw up written records (on paper or in electronic form) of official controls and other activities that they perform, and such records must contain—

(a) a description of the purpose of the relevant official controls and other official activities;

(b) the control methods applied;

(c) the outcome; and

(d) where appropriate, any action required by the competent authority.

(3) Where non-compliance has been identified by the competent authority through the application of official controls, it must promptly inform the business operator of the non-compliance.

Exchange of information

4. The Department may disclose information to other competent authorities in the United Kingdom and other member States for the purposes of applying these Regulations and the EU Official Controls Regulations.

PART 2

Audits and official controls

Powers of auditors

5.—(1) An auditor may exercise the powers in this regulation and carry out an audit in accordance with the EU Official Controls Regulations if so authorised by the Department.

(2) For the purposes of carrying out an audit, an auditor may enter premises to which an inspector has a power of entry under relevant legislation ("audit premises") as if the auditor were an inspector meeting the criteria for gaining such entry under that relevant legislation.

(3) An auditor exercising a power of entry may be accompanied by any person whose assistance is reasonably required by the auditor.

(4) An auditor may request such information from any person at any premises that is subject to an audit as may reasonably be required for purposes of the audit, and may inspect such records as may reasonably be required for those purposes.

(5) An auditor may make or require copies of such records.

(6) When exercising the powers conferred by this regulation an auditor must, upon request, produce evidence of authorisation under these Regulations.

(**7**) 1954 c. 33 (N.I.)

PART 3

Assistance and co-operation under Title IV and recovery of expenses

Facilitating assistance and co-operation

6.—(1) For the purposes of assisting a competent authority of another member State as provided for in Article 104, or enabling the Department to do so, an inspector exercising powers under relevant legislation to enter premises or to inspect records may—

(a) be accompanied by authorised officers of a competent authority of another member State;

(b) show records to such accompanying authorised officers; and

(c) make copies for them or require copies to be made for them of the records.

(2) For the purposes of facilitating a visit by an inspection team as provided for in Article 108, an inspector may be accompanied by representatives of the EU Commission when exercising powers under relevant legislation to enter premises and inspect records.

(3) Any person may be required to provide an inspector with such assistance, information or facilities as the officer may reasonably require for the purpose of the execution or enforcement of these Regulations or the EU Official Controls Regulations.

Recovery of expenses

7.—(1) Any expenses incurred by the Department in carrying out measures under Articles 66, 67, 69 or 138 may be recovered from the relevant business operator and such expenses must be paid on written demand.

(2) The Department may recover any unpaid sum referred to in paragraph (1) as a civil debt.

PART 4

Enforcement and penalties

Enforcement and prosecution

8. Enforcement of these Regulations and the EU Official Controls Regulations is the responsibility of the competent authority.

Powers of inspectors

9.—(1) An inspector may—

(a) make any enquiries, observe any activity or process and take photographs;

(b) inspect any article, container, plant, equipment or records of any class which appear to the inspector to be relevant for the purposes of the investigation, and make or require copies of such records and remove such records as may reasonably be required;

(c) mark any item for identification purposes;

(d) require the production of any label, document or record (in whatever form it is held);

(e) inspect and take a copy of, or take a copy of an extract from, any label, document or record;

(f) have access to and inspect and check the data on, and operation of, any computer;

(g) if the inspector has reason to believe that a person is in contravention of these Regulations or the EU Official Controls Regulations and that the data may be relevant to the

contravention, seize and detain any computer equipment for the purpose of copying the data or, where it has not been possible to carry out adequate inspection on the premises, of further inspection;

(h) if the inspector has reason to believe that a person is in contravention of these Regulations or the EU Official Controls Regulations and that certain records may be relevant to the contravention, seize and detain the records.

(2) An inspector must—

(a) produce evidence of authorisation when requested to do so;

(b) as soon as reasonably possible—

(i) provide to the person appearing to be responsible for any records removed from any premises a written receipt identifying those records; and

(ii) after deciding that they are no longer required, return anything removed, apart from records or other things to be used as evidence in court proceedings.

Powers of entry

10.—(1) An inspector may enter any premises (except any premises used wholly or mainly as a private dwelling) during normal working hours without prior notice, if the inspector believes that it is necessary for the purpose of official controls or other official activities under these Regulations or the EU Official Controls Regulations.

(2) In circumstances where an inspector is carrying out routine verification checks, notice must be provided before exercising a power of entry to premises during normal working hours.

(3) The requirement to give notice in paragraph (2) does not apply—

(a) where reasonable efforts to agree an appointment have failed;

(b) where an inspector reasonably believes that giving notice would defeat the object of the entry, including any situation in which notice is not required under Article 9(4);

(c) where an inspector has a reasonable suspicion that any provision of these Regulations or the EU Official Controls Regulations has been contravened.

(4) An inspector must, if requested to do so, produce a duly authenticated authorisation document.

(5) A Lay Magistrate may sign a warrant to permit an inspector to enter any premises, including dwelling-houses, if necessary by reasonable force, if the Lay Magistrate on sworn complaint in writing is satisfied—

(a) that there are reasonable grounds to enter those premises for the purpose of enforcing these Regulations or the EU Official Controls Regulations; and

(b) that one or more of the conditions in paragraph (6) are met.

(6) The conditions are—

(a) that entry to the premises has been, or is likely to be, refused, and notice of the intention to apply for a warrant has been given to the occupier;

(b) that asking for admission to the premises, or giving such a notice, would defeat the object of the entry;

(c) that entry is required urgently;

(d) that the premises are unoccupied or the occupier is temporarily absent.

(7) A warrant is valid for 30 days from the date of signature.

(8) An inspector entering any premises which are unoccupied or from which the occupier is temporarily absent must leave them as effectively secured against unauthorised entry as they were before entry.

(9) An inspector may—

(a) be accompanied by such other persons (up to a maximum of three) as the inspector considers necessary;

(b) bring onto the premises such equipment as the inspector considers necessary.

Offences and penalties

11.—(1) A person is guilty of an offence if without reasonable excuse that person obstructs or causes or permits to be obstructed—

(a) an auditor;

(b) an inspector; or

(c) any person who accompanies an auditor or inspector.

(2) For the purposes of paragraph (1), obstruction includes failure by any person—

(a) to produce records or provide reasonable facilities for copying records; or

(b) to provide relevant information when requested.

(3) A person is guilty of an offence if without reasonable excuse that person supplies information to an auditor or inspector which, in any material particular, is false or misleading.

(4) A person guilty of an offence under this regulation is liable on summary conviction to a fine not exceeding Level 5 on the Standard Scale or to imprisonment for a term not exceeding three months, or to both.

Time limits for prosecution

12. A prosecution for an offence under this Part shall not begin after the expiry of—

(a) three years from the commission of the offence; or

(b) one year from its discovery by the prosecutor,

whichever is the earlier.

PART 5

Consequential amendments

Amendments to the Foot-and-Mouth Disease Regulations (Northern Ireland) 2006

13.—(1) The Foot-and-Mouth Disease Regulations (Northern Ireland) 2006(**8**) are amended as follows.

(2) In regulation 2(1)—

(a) after the definition of "associated protection zone", insert—

> ""border control post" means a place, together with the facilities contained at that place, which has been designated by the Department in accordance with Article 59 and listed by the European Commission in accordance with Article 60 for the performance of the official controls set out in Article 47(1) of the Regulation (EU) 2017/625;"

(**8**) S.R. 2006 No. 42, as last amended by S.R. 2019 No. 197.

(b) in the definition of "health marked", for the words "required by" to the end, substitute "as defined in Article 3(51) of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products";

(c) in the definition of "slaughterhouse", in paragraph (c), for the words "under" to "rules", substitute "in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products".

(3) In regulation 30(2)(b), for "border inspection post" substitute "border control post".

Amendments to the Foot and Mouth Disease (Control of Vaccination) Regulations (Northern Ireland) 2006

14.—(1) The Foot and Mouth Disease (Control of Vaccination) Regulations (Northern Ireland) 2006(**9**) are amended as follows.

(2) In regulation 2(1)—

(a) in the definition of "health marked", for the words "required by" to the end substitute "as defined in Article 3(51) of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products";

(b) in the definition of "slaughterhouse", in paragraph (a), for the words "under" to "rules", substitute "in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products".

Amendment to the Welfare of Animals (Transport) Regulations (Northern Ireland) 2006

15. In regulation 20(2) of the Welfare of Animals (Transport) Regulations (Northern Ireland) 2006(**10**), omit sub-paragraph (j).

Amendments to the Avian Influenza and Influenza of Avian Origin in Mammals Regulations (Northern Ireland) 2007

16.—(1) The Avian Influenza and Influenza of Avian Origin in Mammals Regulations (Northern Ireland) 2007(**11**) are amended as follows.

(2) In regulation 2(1), for the definition of "border inspection post" substitute—

""border control post" means a place, together with the facilities contained at that place, which has been designated by the Department in accordance with Article 59 and listed by the European Commission in accordance with Article 60 for the performance of the official controls set out in Article 47(1) of the Regulation (EU) 2017/625;"

(3) In regulations 40(2)(a), 41, 44(3) and 45(2), in each place it occurs, for "border inspection post" substitute "border control post".

(**9**) S.R. 2006 No. 43, as last amended by S.R. 2019 No. 197.
(**10**) S.R. 2006 No. 538, to which there are amendments not relevant to these Regulations.
(**11**) S.R. 2007 No. 68, as last amended by S.R. 2019 No. 82.

Amendment to the Avian Influenza (H5N1 in Poultry) Regulations (Northern Ireland) 2007

17. In regulation 12(2)(b)(ii) of the Avian Influenza (H5N1 in Poultry) Regulations (Northern Ireland) 2007(**12**), for the words "Chapter VIII" to the end substitute "Article 18 of Regulation EU 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products".

Amendments to the Avian Influenza (H5N1 in Wild Birds) Regulations (Northern Ireland) 2007

18.—(1) The Avian Influenza (H5N1 in Wild Birds) Regulations (Northern Ireland) 2007(**13**) are amended as follows.

(2) In regulation 2(1), omit the definition of "Regulation 854/2004";

(3) In Schedule 1, Part III, in paragraph 1(2)(a), for the words "Sections I, II and III, and Chapters V" to the end, substitute "Article 18 of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products".

Amendments to the Swine Vesicular Disease Regulations (Northern Ireland) 2009

19.—(1) The Swine Vesicular Disease Regulations (Northern Ireland) 2009(**14**) is amended as follows.

(2) In regulation 7(1), for sub-paragraph (b) substitute—

"(b) any border control post within the meaning of, and for so long as it remains approved for the purposes of, regulation 11 of the Trade in Animals and Related Products Regulations (Northern Ireland) 2011.".

(3) In regulation 32(2)(b), for "border inspection post" substitute "border control post".

Amendments to the Trade in Animals and Related Products Regulations (Northern Ireland) 2011

20.—(1) The Trade in Animals and Related Products Regulations (Northern Ireland) 2011(**15**) are amended as follows.

(2) In regulation 2(1)—

(a) omit the definition of "border inspection post";

(b) omit the definition of "CVED";

(c) for the definition of "genetic material" substitute—

""genetic material" means any germinal product that includes semen, oocytes and embryos intended for artificial reproduction and hatching eggs;";

(d) after the definition of "genetic material" insert—

""health certificate" includes the equivalent of a health certificate in electronic form;

"importer" means the natural or legal person who presents animals or products for importation from outside the United Kingdom;

(**12**) S.R. 2007 No. 207, as last amended by S.R. 2019 No. 82.
(**13**) S.R. 2007 No. 208, as last amended by S.R. 2019 No. 82.
(**14**) S.R. 2009 No. 223
(**15**) S.R. 2011 No. 438, as amended by S.R. 2019 No. 197.

"intensified official controls" means those controls carried out in accordance with Article 65(4) of the EU Regulation;

"official controls" means activities performed in accordance with Article 2(1) of the EU Regulation;"

(e) for the definition of "premises" substitute—

""premises" includes any place, vehicle, trailer, container, stall, moveable structure, ship or aircraft;"

(f) for the definition of "product" substitute—

""product" means—

(a) any product of animal origin, germinal product, animal by-product, derived product or hay or straw subject to official controls at border control posts; and

(b) any composite product listed in Commission Decision 2007/275 concerning lists of animals and products to be subject to official controls at border inspection posts;";

(g) after paragraph (1) insert—

"(1A) In these Regulations—

(a) "the EU Regulation" is a reference to Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products;

(b) "Regulation (EU) No. 2016/1012" is a reference to Regulation (EU) No. 2016/1012 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof;

(c) any reference to a "border inspection post" is to be read as a reference to a "border control post" as defined in regulation 11; and

(d) any reference to a "CVED" is to be read as a reference to a "CHED" as defined in regulation 10.".

(3) In regulation 3(2), for the definition of "pet animal" substitute—

""pet animal" has the same meaning as in Article 4(11) of Regulation (EU) 2016/429 on transmissible animal diseases;".

(4) In regulation 4, after "Trade with", insert "the Faroe Islands, Greenland,".

(5) In Part 2, in the heading, for "between" substitute "to or from".

(6) In regulation 5—

(a) for the heading, substitute—

"Movement of animals or genetic material to or from member States";

(b) for paragraph (1) substitute—

"(1) No animal or genetic material may be sent to or brought from a member State unless it is accompanied by an original health certificate.

(1A) No animal product may be sent to or brought from a member State, unless it is accompanied by a relevant document.".

(7) In regulation 6(1), for the words "or genetic material to another" substitute ", animal product or genetic material to a".

(8) In regulation 7—

(a) for the heading substitute—

"Notification of movement of animals and genetic material to and from member States";

(b) in paragraph (1)—

(i) for "another" substitute "a"; and

(ii) for the words "24 hours" to the end, substitute "one working day before the expected arrival of the consignment";

(c) in paragraph (2), for "another" substitute "a".

(9) In regulation 9, from the words "specified in" to the end, substitute "subject to official controls at border control posts".

(10) After regulation 9 insert—

"**Meaning and use of Common Health Entry Document "CHED"**

10.—(1) A "Common Health Entry Document" ("CHED") means a document or an electronic equivalent in the format specified in Commission Implementing Regulation (EU) 2019/1715 laying down rules for the functioning of the information management system for official controls and its system components.

(2) Where the imported consignment is required to be accompanied by a CHED to the premises of final destination, the operator responsible for the consignment must complete the relevant parts of the document prior to the physical arrival of the consignment.

(3) The cases where and conditions under which the use of a CHED is required are specified in Commission Delegated Regulation (EU) 2019/1602 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council concerning the Common Health Entry Document accompanying consignments of animals and goods to their destination.

(4) Where a CHED is required the operator responsible for the consignment must comply with the provisions of Article 56 of the EU Regulation.

(5) An electronic equivalent refers to a CHED capable of being produced at any time by the person responsible for the consignment.".

(11) For regulation 11 and the heading to that regulation, substitute—

"**Border Control Posts**

11.—(1) A border control post is a place, together with the facilities contained at that place, that has been designated by the Department in accordance with Article 59 and listed by the European Commission in accordance with Article 60 for the performance of the official controls set out in Article 47(1) of the EU Regulation.

(2) If at any time the relevant authority is of the opinion that any part of the inspection facilities at the border control post no longer complies with the requirements for approval, the relevant authority may, in accordance with Articles 61 to 63 of the EU Regulation, serve a notice on the operator—

(a) specifying the breach;

(b) providing a time limit within which the conditions must be complied with; and

(c) prohibiting the use of that part of the facilities until the conditions of the approval are complied with.

(3) If the notice is not complied with, the Department may suspend the approval in relation to that part of the inspection facilities.

(4) If the operator of a border control post is determined by the relevant authority to be in serious breach of the requirements relating to the performance of official controls for any of the categories of animal or product for which it has been designated, or the conditions of the approval, or if the operation of the border control post creates a risk to human or animal health or animal welfare, the Department must suspend the approval of the border control post and order its activities to cease for all, or specified categories of animal or product, and must inform the Commission of the suspension and the reason.

(5) In this regulation, "the relevant authority" means—

(a) in relation to animals and genetic material, the Department; or

(b) in relation to products, the Department or the district council as the case may be.".

(12) In regulation 12, in paragraph (2), for the words from "any product" to "Decision 2007/275/EC" substitute "any fishery products, aquatic invertebrates, live bivalve molluscs, live echinoderms, live tunicates and live marine gastropods intended for human consumption".

(13) In regulation 14—

(a) for paragraph (1), substitute—

"(1) The person responsible for a consignment of animals or products must notify the border control post of destination of the expected date of its arrival at the border control post at least one working day before it is due to arrive; but where the person can provide evidence of a logistical constraint preventing such notification, that the requirement may be satisfied by notification of its expected time of arrival at least four hours in advance.";

(b) omit paragraph (2); and

(c) for paragraph (4), substitute—

"(4) In the case of a transhipment of products from one border control post to another, the person responsible for the consignment must notify the official veterinary surgeon at the border control post of destination of—

(a) the estimated time of arrival;

(b) the border control post at which the transhipment will be checked;

(c) the identification and location of the consignment; and

(d) the estimated time of departure.".

(14) For regulation 15, substitute—

"**15.**—(1) When the consignment has been unloaded, the person responsible for the consignment must with reasonable expedition arrange for it, together with the documentation specified for that consignment in the relevant legislation listed in Schedule 2, to be presented at the border control post inspection facilities to enable official controls in accordance with—

(a) Chapter 5 of the EU Regulation, together with relevant implementing and delegated acts, and

(b) the checks required by Article 37(1) of Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof.

(2) Any operator responsible for the consignment must ensure that the consignment is presented for official controls at the border control post at a reasonable time during the working day.

(3) The competent authority must carry out all necessary official controls specified in paragraph (1) and may only issue CHED permitting entry if—

(a) the consignment complies with the requirements relating to it in the relevant instrument listed in Schedule 2;

(b) the importation is not prohibited under paragraph (4); and

(c) the correct fee for the checks has been or will be paid.

(4) In the case of live animals, the official veterinary surgeon must not issue a CHED permitting entry if—

(a) the animals are from a territory or part of a territory of a third country not included in the lists drawn up in accordance with legislation of the European Union for the species concerned or from which imports are prohibited under that legislation;

(b) the animals are suffering from or are suspected to be suffering from or infected by a contagious disease or a disease presenting a risk to human or animal health;

(c) the exporting third country has not complied with the requirements provided for in legislation of the European Union;

(d) the animals are not in a fit state to continue their journey; or

(e) the veterinary certificate or document accompanying the animals does not meet the requirements of legislation of the European Union relating to importation.

(5) If there are no legislative requirements relating to the consignment, the official veterinary surgeon must not issue a CHED unless the importation has been authorised in writing under this paragraph by—

(a) the Food Standards Agency for any product for which only public health requirements apply; or

(b) the Department for any other product.

(6) An authorisation under paragraph (5)(a) may only be granted if the Agency is satisfied that the consignment does not pose a risk to human health.

(7) An authorisation under paragraph (5)(b) may only be granted if the Department is satisfied that the consignment does not pose a risk to the animal health status of the United Kingdom.

(8) The official veterinary surgeon must retain evidence of authorisation or refusal of a consignment for a period of three years from the date of the importation.".

(15) For regulation 16 and the heading to that regulation, substitute—

"**Removal from the border control post**

16.—(1) No person may remove a consignment from the border control post unless it is accompanied by a CHED issued by the official veterinary surgeon or the authorised officer (as appropriate) in the case of a consignment of fish and the movement is in accordance with that document.

(2) The person transporting it from the border control post must ensure that the document accompanies the consignment and must transport it directly to the destination specified therein.

(3) These requirements do not apply if the consignment is removed from the border control post under the authority of the relevant official veterinary surgeon or the authorised officer (as appropriate).

(4) In the case of live animals, the person responsible for the transport to the final destination must be in possession of the appropriate transport authorisation in accordance with Article 4 of Council Regulation (EC) 1/2005 on the protection of animals during transport and related operations inside the vehicle.

(5) In this regulation, requirements for a consignment to be "accompanied by a CHED" (and cognate expressions), in relation to a CHED in electronic form, refer to the CHED being capable of being produced at any time by the person responsible for the consignment.".

(16) For regulation 17, and the heading to that regulation, substitute—

"**Supervision and monitoring consignments**

17. Where a consignment is required to be taken under supervision from a border control post to a specific destination in the United Kingdom or a member State—

(a) the movement must be under customs supervision if it is specified in the CHED; and

(b) on arrival, the occupier of the destination premises must immediately notify the Department and district council of its arrival.".

(17) In regulation 18—

(a) for paragraph (3) substitute—

"(3) Products that arrive at a border control post for an ultimate destination outside the United Kingdom, and which are subject to animal health check requirements in the relevant legislation listed in Schedule 2, may be taken directly from the border control post to a destination outside the United Kingdom without a CHED, so long as the products do not remain for more than three days at an airport border control post and 30 days at a sea port border control post.";

(b) after paragraph (3), insert—

"(3A) Products that are not subject to import check requirements, and which arrive at a border control post for an ultimate destination outside the United Kingdom, may be taken directly from the border control post to their destination without a CHED, so long as the products do not remain at the border control post for more than 90 days.".

(18) In regulation 19(1), for paragraphs (b) and (c), substitute—

"(b) removed from a border control post without a CHED or the authority of the official veterinary surgeon or the authorised officer (as the case may be) at the post; or

(c) transported from the border control post to a destination other than that specified in the entry document.".

(19) For regulation 20, substitute—

"**20.**—(1) This regulation applies to any consignment of a product if the checks at a border control post show that the consignment does not comply with the rules referred to in Article 1(2) of the EU Regulation.

(2) The official veterinary surgeon or the authorised officer (as appropriate) must, after consultation with the importer or importer's representative, place the consignment under detention and refuse its entry into the United Kingdom.

(3) The official veterinary surgeon or the authorised officer (as appropriate) may order the person responsible for the consignment—

(a) to subject the consignment to special treatment in accordance with Article 71(1) and (2) or to any other measure necessary to ensure compliance with the rules referred to in Article 1(2) of the EU Regulation and, where appropriate and

provided there is no risk to human or animal health, allocate the consignment for purposes other than those for which it was originally intended;

(b) where health conditions permit, to require the person in charge of the consignment to re-dispatch the product in accordance with Article 72 of the EU Regulation from the same border control post to a destination outside the European Union agreed with the person responsible for the consignment, using the same means of transport, within a maximum time limit of 60 days from arrival at the border control post; or

(c) if the person responsible for the consignment gives immediate agreement, re-dispatch is impossible or the 60-day time limit has elapsed, to destroy the products.

(4) The official veterinary surgeon or the authorised officer (as appropriate) may exceptionally authorise destruction, re-dispatch, special treatment, or any other measure that may be taken in respect of a consignment to be taken in respect of a part of the consignment only, provided that the action taken—

(a) is such as to ensure compliance;

(b) does not pose a risk to human or animal health; and

(c) does not disrupt official control operations.

(5) Pending re-dispatch or confirmation of the reasons for rejection, the person responsible for the consignment must, at that person's own expense, store the consignment under the supervision of the enforcement authority.

(6) If a consignment of products seized at a place other than a border control post under regulation 19, the enforcement authority must order that such consignment be retained or recalled, and placed under official detention without delay, and paragraphs (2) and (3) of this regulation apply.

(7) The importer or the importer's representative is liable for the costs incurred in any measures taken under paragraphs (2) to (6), but is entitled to payment of a sum equal to the value of the product after deduction of these costs.

(8) The importer or the importer's representative may immediately, within one working day after notification of the non-compliance, make written representations to the Department regarding any decision taken under this regulation, and any such representations must be considered and a written response must be given by the Department within one working day of receiving such representations.".

(20) For regulation 21, substitute—

"**21.** If the official controls at the border control post indicate that the consignment is likely to constitute a danger to animal or human health, the official veterinary surgeon or the authorised officer (as the case may be) must immediately place the consignment under official detention and order that the person responsible for the consignment destroy it or arrange special treatment in accordance with Article 71 of the EU Regulation at that person's expense.".

(21) For regulation 22, substitute—

"**22.**—(1) If the official veterinary surgeon or the authorised officer (as appropriate) suspects that products entering the United Kingdom from a particular third country, part of a third country or establishment in a third country have been the subject of serious contraventions of any import requirement, or contraventions that form part of a series, or where those checks reveal that maximum residue levels have been exceeded, this regulation applies to the next ten consignments or a net weight of 300 tonnes, whichever is the lowest,

imported from that third country, or (as the case may be) the particular part of a third country or establishment to which the suspicion relates.

(2) If the official veterinary surgeon or the authorised officer (as appropriate) has reason to suspect fraudulent or deceptive practices by an operator responsible for a consignment the Department may apply intensified official controls.

(3) The official veterinary surgeon or the authorised officer (as appropriate) must carry out a physical check on the suspected non-compliant consignment and take appropriate measures in accordance with Section 3 of Chapter 5 of Title II.

(4) The person responsible for the consignment must lodge with the official veterinary surgeon a deposit or guarantee sufficient to assure payment of all charges, including the taking of samples, and tests or analysis.".

(22) For regulation 23, substitute—

"**23.**—(1) If the checks at a border control post show that an animal does not comply with the rules referred to in Article 1(2) of the EU Regulation relating to that animal, or where such checks reveal an irregularity, the official veterinary surgeon must initially place the animal under detention, isolation or quarantine, as appropriate, where it must be kept, cared for or treated under appropriate conditions pending further official decision on the fate of the animal.

(2) Unless immediate action is necessary in order to respond to a risk to human or animal health or animal welfare or to the environment, the official veterinary surgeon may, after consultation with the importer or the importer's representative, order the person responsible for the consignment—

(a) to shelter, feed and water, and if necessary, treat the animal;

(b) if necessary, to place it in quarantine or isolate it for so long as is necessary to ensure that there is no risk to human or animal health; or

(c) to re-dispatch the animal in accordance with Article 72 of the EU Regulation without delay.

(3) If re-dispatch is impossible, in particular for welfare reasons, the official veterinary surgeon may order the importer or the importer's representative to arrange for the slaughter of the animal to spare any avoidable pain, distress or suffering.

(4) If an animal is seized under regulation 19 at a place other than a border control post the enforcement authority must order the consignment to be retained or recalled, and placed under official detention without delay, and paragraphs (1) and (2) shall apply.

(5) The official veterinary surgeon may exceptionally authorise partial destruction, re-dispatch, special treatment, or any other measure that may be taken in respect of a consignment of animals to be taken in respect of a part of any such consignment, provided that such action—

(a) is such as to ensure compliance with the import check requirements of the EU Regulation and any relevant Implementing Regulations and Delegated Regulations made under it;

(b) does not pose a risk to human or animal health; and

(c) does not disrupt official control operations.

(6) The importer or the importer's representative is liable for the costs incurred in these measures but is entitled to payment of a sum equal to the slaughter value of the animal after deduction of these costs.".

(23) Omit regulation 24.

(24) In regulation 27—

(a) in the heading, after "of", insert "animals and";

(b) for paragraph (1), substitute—

"(1) An official veterinary surgeon at a border control post must authorise the re-importation of consignments of the categories of animals and products referred to in points (a) and (b) of Article 47(1) originating from, and returning to, the Union following a refusal of entry by a third country provided that—

(a) animals and germinal products that have been authorised in advance by the competent authority comply with the relevant animal health and animal welfare requirements;

(b) products of animal origin and composite products comply with animal and public health requirements relating to consignments of products for human consumption originating in and returning to the Union following a refusal of entry by a third country; and

(c) animal by-products comply with the animal health requirements laid down in Annex XIV to Commission Regulation (EU) 142/2011 for the entry of consignments of animal by-products originating from and returning to, the Union following refusal of entry by a third country.".

(c) after paragraph (1) insert—

"(1A) In paragraph (1), "Commission Regulation (EU) 142/2011" means Commission Regulation (EU) 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.".

(25) For regulation 29, substitute—

"**29.**—(1) Where the Department or the Agency—

(a) has reasonable grounds for suspecting the existence of a disease, zoonosis, phenomenon or circumstance in a country outside the United Kingdom such that animals or products originating from the whole or part of the country concerned are liable to pose risk to human or animal health; or

(b) is of the opinion that there is serious non-compliance with official control rules under the EU Regulation in relation to imports from the European Union, or equivalent official controls rules in countries other than a member State;

the Department or the Agency may publish a written declaration of the special measures necessary in Northern Ireland in order to contain the risk to human or animal health or the risk of non-compliant animals or products entering into the United Kingdom.

(2) The special measures that the Department or the Agency may require include—

(a) suspension of entry into Northern Ireland of any animal or product originating in or dispatched from the whole or part of the country concerned;

(b) imposition of conditions requiring that any animal or products—

(i) prior to dispatch, or on arrival, are made the subject of specific treatment or controls;

(ii) be accompanied by an official certificate, an official attestation, or any other evidence (in any format that may be specified) that any import from the European Union complies with established official control rules

under the EU Regulation and any relevant Implementing Regulations and Delegated Regulations made under it or equivalent rules in other countries;

(c) such other measures that the Department or the Agency considers necessary to contain the risk.

(3) The declaration must be published in such a manner as the Department or the Agency (as the case may be) thinks fit and may be amended or revoked by further declaration at any time.

(4) No person may import anything in breach of any measures mentioned in any such declaration.".

(26) For regulation 33, substitute—

"**33.**—(1) An authorised officer may at any reasonable hour during normal working hours without prior notice enter any premises (except any premises used wholly or mainly as a private dwelling) if the officer believes that it is necessary to enter for the purpose of enforcing these Regulations.

(2) An authorised officer must, if requested to do so, produce a duly authenticated authorisation document.

(3) A Lay Magistrate may sign a warrant to permit an authorised officer to enter any premises, including a dwelling-house, if the Lay Magistrate on sworn complaint in writing is satisfied—

(a) that there are reasonable grounds to enter those premises for the purpose of enforcing these Regulations; and

(b) that one or more of the conditions in paragraph (4) are met.

(4) The conditions are—

(a) that entry to the premises has been, or is likely to be, refused, and notice of the intention to apply for a warrant has been given to the occupier;

(b) that asking for admission to the premises, or giving such a notice, would defeat the object of the entry;

(c) that entry is required urgently; or

(d) that the premises are unoccupied or the occupier is temporarily absent.

(5) A warrant is valid for 30 days from the date of signature by the Lay Magistrate.

(6) An authorised officer entering any premises which are unoccupied or from which the occupier is temporarily absent must leave them as effectively secured against unauthorised entry as they were before entry.

(7) An authorised officer may—

(a) be accompanied by such other persons (up to a maximum of three) as the officer considers necessary;

(b) bring onto the premises such equipment as the officer considers necessary.".

(27) In regulation 34, after sub-paragraph (g), insert—

"(h) require the slaughter of any imported animal which is non-compliant with import or animal welfare requirements in these Regulations or the EU Regulation or any Implementing Regulations and Delegated Regulations made under it, or suspected by the Department of posing a risk to animal or human health;

(i) require the quarantine of any imported animal that is suspected by the Department of posing a risk to animal or human health.".

(28) For regulation 35 and the heading to that regulation, substitute—

"**Importation of animals or products constituting a risk to animal or public health**

35.—(1) If imported animals or products are suspected by the Department of constituting a serious risk to human or animal health or animal welfare, or, in a case of suspected non-compliance, the animals or products come from a region contaminated by an epizootic disease, the authorised officer may require—

(a) an investigation in order to confirm or eliminate that suspicion;

(b) an investigation into the extent of any suspected non-compliance and to establish the import operator's responsibilities;

(c) intensified official controls on consignments of animals or products from a particular region until such imports are no longer regarded by the officer as constituting such health risk;

(d) the official detention of any of the animals or products;

(e) appropriate measures to ensure that the person responsible for the animals or products remedies the non-compliance and prevents further occurrences of such non-compliance.

(2) In a case within paragraph (1)(a), the importer must assist the officer with establishing the region of origin.

(3) Where the Department is satisfied that imported animals or products constitute a risk to animal or public health, the authorised officer may, following written notice, take any reasonable action to ensure compliance with any rules laid down in accordance with Article 1(2) of the EU Regulation, including—

(a) taking samples for testing and ordering or performing veterinary treatments on animals;

(b) ordering the unloading of animals and their transfer via another means of transport to a specified holding for a specified quarantine period, (whether or not involving the postponement of the slaughter of animals);

(c) the slaughter or killing of animals, provided that this is the most appropriate measure to safeguard human health as well as animal health and welfare;

(d) restricting or prohibiting the placing on the market, the movement or the export of the animal or product, or requiring its return to the country of dispatch;

(e) ordering the importer to increase the frequency and thoroughness of systematic checks and controls before importing further animals or goods from the same region;

(f) ordering the isolation or closure, for an appropriate period of time, of all or part of a business operation (including any related internet and on-line sales of products that may constitute a risk to animal or human health) affected by the importation of an animal or product that constitutes a risk to animal or human health;

(g) the recall, withdrawal, removal or destruction of products;

(h) the treatment of products for human consumption, the alteration of labels or the provision of corrective information to consumers;

(i) the temporary suspension or withdrawal of the registration or approval of an affected establishment, plant, holding or means of transport concerned, or of an authorisation of a transporter;

(j) the use of products for purposes other than those for which they were originally intended.

(4) An authorised officer must provide an affected business operator, or its representative, with—

(a) written notification of the decision concerning the action or measure to be taken in accordance with this regulation, together with the reasons for that decision; and

(b) information on any right of appeal against such decision in accordance with regulation 35A.

(5) In the case of the issue of false or misleading official certificates in Northern Ireland, or where there is evidence of abuse of official certificates, the authorised officer, may take appropriate measures, including—

(a) the temporary suspension of the certifying officer from certifying any certificates related to any relevant trade;

(b) the withdrawal of the authorisation of a person to sign official certificates; and

(c) any other measure believed by the officer to be necessary to prevent a reoccurrence of any non-compliance or abuse.".

(29) After regulation 35, insert—

"**Appeals**

35A. Any person aggrieved by a decision made under these Regulations may appeal within one month of the decision to a Magistrates' court by way of sworn complaint in writing for an order and the Magistrates' Court (Northern Ireland) Order 1981 applies to the proceedings.".

(30) In regulation 36, after the words "these Regulations", in each place where they occur, insert "or the EU Regulation".

(31) In Schedule 1, in the first entry on the table—

(a) for "regulation 5(1)", substitute "regulation 5(1) and (1A)"; and

(b) in the second column, for "Consigning an animal or genetic material without a health certificate", substitute "Movements without correct accompanying document".

(32) In Schedule 2—

(a) omit the entries in both columns relating to—

(i) Council Directive 89/662/EEC concerning veterinary checks in Veterinary checks intra-Community trade with a view to completion of the internal market;

(ii) Council Directive 90/425/EEC concerning veterinary and zootechnical Veterinary checks applicable in intra-Community trade in certain live animals;

(iii) Council Directive 91/496/EEC laying down the principles governing Veterinary checks the organisation of veterinary checks on animals entering the Community from third countries;

(iv) Council Directive 96/23/EC on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC;

(v) Regulation (EC) No 854/2004 of the European Parliament and the Council laying down specific hygiene rules for the organisation of official controls on products of animal origin intended for human consumption; and

(vi) Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules;

(b) after the item "Regulation (EU) 2016/1012", in the first column insert—

"Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products and the Implementing Regulations and Delegated Regulations made under it.";

(c) in the second column, in relation to the entry inserted by sub-paragraph (b) insert—

"Official controls and other official activities".

(33) In Schedule 3—

(a) in the heading to Part 1, for "between" substitute "with";

(b) in paragraph 2—

(i) omit sub-paragraph (1); and

(ii) for sub-paragraph (2), substitute—

"(2) No person may transport cattle, pigs, sheep or goats to a member State unless authorised by the Department in accordance with Article 11 of Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations.";

(c) in paragraph 3, for "between" substitute "to or from";

(d) in paragraph 3, at the end, insert "and are exempt from the requirement in regulation 7(2) to provide one working days' notice to the Department in advance of the intended arrival of the consignment";

(e) in paragraphs 4 and 5(4), for "between" substitute "with";

(f) in paragraph 7, for "another member State, or brought into Northern Ireland from another", substitute "a member State, or brought into Northern Ireland from a";

(g) in paragraph 9(1), after the words "authority for", insert "the import of certain birds and quarantine conditions for the purposes of";

(h) for paragraph 11 and the heading to that paragraph, substitute—

"**Ship supply**

11.—(1) A product that does not comply with import requirements and is sent from a border control post to a ship must be accompanied by the relevant health certificate relating to that product, and the master of the vessel must confirm delivery of the product by signing a certificate which must accompany the consignment to its place of destination.

(2) Within 15 days of completion of delivery of products on board the vessel, the operator responsible for the delivery, or the representative of the master of the vessel must send the official certificate signed by the master of the vessel (or send by electronic means and systems) to the competent authority of the border control post of entry or the approved Customs warehouse. ";

(i) omit paragraph 12.

(34) In Schedule 4—

(a) for paragraph 2, (Case 1), substitute—

"**2.** Products referred to in Article 7 and Article 10 of the Commission Delegated Regulation adopted in accordance with Articles 48(d) and (e) of the EU Regulation.";

(b) in paragraph 4, (Case 3)—

(i) for the heading, substitute "**Research and diagnostic samples**"; and

(ii) for sub-paragraphs (1) to (4), substitute—

"**4.**—(1) Research and diagnostic samples as defined in point (38) of Annex I to Regulation (EU) No 142/2011, are exempt from veterinary checks at the border control post provided that they have been authorised in advance by the Department and the consignment is sent directly from the point of entry to the authorised user.

(2) In relation to such samples arriving in Northern Ireland and destined for a member State,—

(a) the importer or importer's representative must present research and diagnostic samples at a border control post of entry; and

(b) the competent authority of the border control post must inform the competent authority of the member State of destination of the arrival of the samples.";

(c) in the heading to paragraph 5, (Case 4), for "another" substitute "a";

(d) in paragraph 5, in the first place where it occurs, for "another" substitute "a"; and

(e) after paragraph 7, insert—

"**Case 7: Invertebrate animals intended for scientific purposes**

8.—(1) Invertebrate animals intended for scientific purposes such as research, educational activities or research related to product development activities are exempt from official controls at border control posts other than controls carried out in accordance with Article 15(2) of Regulation (EU) No 1143/2014, provided that—

(a) they comply with all requisite animal health requirements;

(b) they have been authorised by the Department;

(c) when the activities relating to the scientific purposes have been carried out, they and any products derived from them, with the exception of any portions used for the scientific purposes, must be disposed of or re-dispatched to the third country of origin.

(2) Paragraph (1) does not apply to honey bees (Apis mellifera), bumble bees (Bombus spp), molluscs belonging to the phylum Mollusca or crustaceans belonging to the subphylum Crustacea.".

Amendments to the Welfare of Farmed Animals Regulations (Northern Ireland) 2012

21.—(1) The Welfare of Farmed Animals Regulations (Northern Ireland) 2012(**16**) are amended as follows.

(2) In Schedule 5—

(a) in the definition of "official veterinarian", for "(EC) 854/2004" substitute "(EU) 2017/625";

(b) omit the definition of "Regulation 854/2004";

(c) before the definition of "stocking density", insert—

""Regulation (EU) 2017/625" means Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities

(**16**) S.R. 2012 No. 156, as amended by S.R. 2019 No. 82.

performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products;";

(d) in paragraph 16(1), for "Regulation 854/2004" substitute "Regulation (EU) 2017/625".

Amendment to the African Horse Sickness Regulations (Northern Ireland) 2013

22. In regulation 4(b) of the African Horse Sickness Regulations (Northern Ireland) 2013(**17**), for "border inspection post" substitute "border control post".

Amendments to the Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2018

23.—(1) The Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2018(**18**) are amended as follows.

(2) In regulation 2—

(a) in the definition of "cutting plant", for "Article 31(2) of Regulation (EC) No 882/2004" substitute "Article 148(3) of Regulation (EU) 2017/625";

(b) in the definition of "slaughterhouse", for "Article 31(2) of Regulation (EC) No 882/2004" substitute "Article 148(3) of Regulation (EU) 2017/625";

(c) for the definition of "Regulation (EC) No. 882/2004" substitute—

""Regulation (EU) 2017/625" means Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products;"; and

(d) omit paragraph (3)(c).

Amendment to the Carcase Classification and Price Reporting Regulations (Northern Ireland) 2018

24. In regulation 2(1) of the Carcase Classification and Price Reporting Regulations (Northern Ireland) 2018(**19**), in the definition of "bovine carcase", for the words "provided for in Article 5(2)" to the end substitute "as defined in Article 3(51) of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products".

PART 6

Revocation

Revocation

25. The Official Controls (Animals, Feed and Food) Regulations (Northern Ireland) 2007(**20**) are revoked.

(**17**) S.R. 2013 No. 244, to which there is an amendment not relevant to these Regulations.
(**18**) S.R. 2018 No. 213
(**19**) S.R. 2018 No. 216
(**20**) S.R. 2007 No. 133

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 13th December 2019

L.S.

Catherine Fisher
A senior officer of the Department of
Agriculture, Environment and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace the Official Controls (Animals, Food and Feed) Regulations (Northern Ireland) 2007 (S.R.2006 No. 133) and substantially amend the Trade in Animals and Related Products Regulations (Northern Ireland) 2011 (S.R. 2011 No. 438) that apply to Northern Ireland only.

These Regulations implement and enforce Regulation (EU) 2017/625 (OJ No L 95, 7.04.2017, p. 1) on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products ("the EU Regulation") except as regards certain provisions of that Regulation.

Part 2 provides for audits to be undertaken of official controls and other official activities in accordance with the EU Regulation.

Part 3 provides for assistance and co-operation under Title IV of the EU Regulation and recovery of expenses.

Part 4 provides for enforcement and penalties.

Part 5 deals with consequential amendments as a result of the application of the EU Regulation.

Part 6 revokes the Official Controls (Animals, Feed and Food) Regulations (Northern Ireland) 2007 (S.R. 2007 No. 133).

A full regulatory assessment has been produced for these Regulations. No significant impact on the private, voluntary or public sector is foreseen.