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STATUTORY INSTRUMENTS

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**1992 No. 3295**

**AGRICULTURE**

**The Animals and Animal Products  
(Import and Export) Regulations 1992**

*Made* - - - - 23rd December 1992  
*Laid before Parliament* 30th December 1992  
*Coming into force* - - 1st January 1993

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the Economic Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2), hereby make the following Regulations:

**PART I**

**INTRODUCTION**

**Title, commencement, interpretation and extent**

1.—(1) These Regulations may be cited as the Animals and Animal Products (Import and Export) Regulations 1992 and shall come into force on 1st January 1993.

(2) In these Regulations, unless the context otherwise requires, any expressions used have the meaning they bear in Council Directive [90/425/EEC](#) concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the single market<sup>(3)</sup> and Council Directive [91/496/EEC](#) laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries<sup>(4)</sup>, both of which have been amended in accordance with Schedule 1;

“border inspection post” means a place specified in Schedule 2;

“Divisional Veterinary Officer” means the veterinary inspector appointed for the time being by the Minister to receive information about the anticipated date of arrival of imported animals or animal products for the area in which the place of destination in Great Britain is situated;

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(1) S.I. 1972/1811.

(2) 1972 c. 68.

(3) OJ No. L224, 18.8.90, p 29 as read with the provisions in Schedule 1.

(4) OJ No. L268, 24.9.91, p 56 as read with the provisions in Schedule 1.

“import” means import into Great Britain;

“inspector” means a person appointed to be an inspector for the purposes of these Regulations by the Minister or a local authority, and when used in relation to a person so appointed by the Minister, includes a veterinary inspector;

“local authority” means—

- (a) in England and Wales, as respects each London borough (except in relation to imported live animals), metropolitan district or non-metropolitan county, the council of that borough, district or county;
- (b) as respects the City of London, and for all London boroughs in relation to imported live animals, the Common Council;
- (c) in Scotland, the regional or islands council;

“Minister” means, in relation to England, the Minister of Agriculture, Fisheries and Food and, in relation to Scotland or to Wales, the Secretary of State;

“place of destination” means the address or addresses to which the consignment is consigned by the consignor;

“veterinary inspector” means a person appointed by the Minister for the purposes of these Regulations.

- (3) Any reference in these Regulations to a Schedule, unless the context otherwise
- (4) Any reference in these Regulations to a directive is to that directive as amended.
- (5) All notices served under these Regulations shall be in writing and may be made subject to conditions and may be amended, suspended or revoked in writing at any time.
- (6) These Regulations do not apply to Northern Ireland.

### **Exception**

2. These Regulations shall not apply to veterinary checks on movements of pets (other than equidae) accompanied by and under the responsibility of a natural person, where such movements are not the subject of a commercial transaction.

### **Enforcement**

3.—(1) Except where otherwise expressly provided, these Regulations shall be executed and enforced by the local authority.

(2) The Minister may direct, in relation to cases of a particular description or a particular case, that any duty imposed on a local authority under paragraph (1) above shall be discharged by the Minister and not by the local authority.

## **PART II**

### **INTRA-COMMUNITY TRADE**

#### **Application of Part II**

4. This Part of these Regulations shall apply to trade between member States in live animals and all animal products which are the subject of the directives listed in Schedule 3 or which are specified in Schedule 4, except aquaculture products for human consumption controlled by Council Directive

[91/67/EEC](#) concerning the animal health conditions governing the placing on the market of animals and aquaculture products<sup>(5)</sup>.

### **Exports**

**5.** No person shall export or consign for export to another member State any animal or animal product unless—

- (a) if it is controlled by one or more of the directives listed in Schedule 3, it complies with the relevant provisions of those directives (including any option permitted by those directives which has been exercised by the member State of destination) and any additional requirements on health conditions of the member State of destination, and, when required by a directive or the member State of destination, is accompanied by an export health certificate signed by a veterinary inspector and any other document required by a directive or by the member State of destination;
- (b) in the case of an animal or animal product specified in Schedule 4, it fulfils all the animal health requirements of the member State of destination and, when required by the member State of destination, is accompanied by an export health certificate signed by a veterinary inspector and any other document required by the member State of destination; and
- (c) if it is acquired through a market or consigned through an assembly centre, such market or assembly centre has been approved by the Minister for the purposes of intra-Community trade, and the market or assembly centre complies with the provisions of the directives listed in Schedule 3 relating to markets and assembly centres.

### **Imports**

**6.** No person shall import from another member State any animal or animal product subject to a directive listed in Schedule 3 and originating in a member State unless it complies with the relevant provisions of that directive, any additional requirements specified in Schedule 3 and any additional legislation applicable in Great Britain.

### **Transport of animals and animal products**

**7.—(1)** No person shall transport any animal or animal product which is being exported to another member State, or which is being imported from another member State to the address to which it is consigned, unless the animal or animal product is accompanied by the documents required by Article 3(1)(d) of Council Directive [90/425/EEC](#).

**(2)** No person shall deliver any animal or animal product imported from another member State other than to the address specified in the required documentation unless required to do so by means of a notice served on him by an inspector.

### **Registration of dealers**

**8.—(1)** If required to do so by a notice served on him by the Minister, a dealer engaging in intra-Community trade in animals or animal products shall register as such and shall give to the Minister such undertakings as to compliance with these Regulations as shall be specified in the notice.

**(2)** Any person who has received a notice under the preceding paragraph shall keep a record of all deliveries of animals and animal products and, where a consignment is divided up or subsequently marketed, of the subsequent destination of the animals or animal products, and shall keep such records for 12 months from the arrival of the consignment.

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(5) OJ No. L46, 19.2.91, p 1.

### **Inspection and checking at destination**

9.—(1) A veterinary inspector shall have power to inspect, at their place of destination, all animals and animal products imported into Great Britain from another member State, so as to ensure that the requirements (including requirements on documentation) of the relevant provisions of the directives listed in Schedule 3 have been complied with, or, in the case of animals and animal products specified in Schedule 4, the animal health conditions applicable to imports into Great Britain have been complied with.

(2) In addition to the powers in paragraph (1) above, an inspector shall have power to inspect animals and animal products and accompanying documents anywhere and at any time if he has information leading him to suspect an infringement of the directives listed in Schedule 3 or, for those animals and animal products specified in Schedule 4, of the animal health conditions applicable to imports into Great Britain.

(3) Any powers exercised under Regulation 27 below shall only be exercised in accordance with this regulation in relation to an import from another member State until it reaches its place of destination and at its place of destination.

### **Duties on consignees**

10.—(1) No person shall accept a consignment of animals or animal products (other than registered horses accompanied by an identification document provided for by Directive [90/427/EEC](#) on the zootechnical and genealogical conditions governing intra-Community trade in equidae<sup>(6)</sup>) unless the importer or consignee has notified to the Divisional Veterinary Officer in writing, at least 24 hours in advance, the nature of the consignment, its anticipated date of arrival and the place of destination.

(2) A consignee shall retain all certificates sent in accordance with these Regulations for 12 months from the date of arrival.

### **Duties on consignees relating to animals**

11.—(1) Where animals are consigned to a market or assembly centre approved by the Minister for the purposes of intra-Community trade, the operator of the market or assembly centre shall ensure that no animal is admitted unless it complies with Article 3(1) of Council Directive [90/425/EEC](#).

(2) Where animals are consigned to a slaughterhouse under the supervision of an official veterinary surgeon appointed under the provisions of Council Directive [64/433/EEC](#) on health conditions for the production and marketing of fresh meat<sup>(7)</sup>, the latter shall ensure that no animal is slaughtered unless it complies with Article 3(1) of Council Directive [90/425/EEC](#).

(3) If, in carrying out inspections under the preceding paragraph, the official veterinary surgeon establishes that animals imported from another member State are accompanied by incorrect certification or cannot readily be identified, he shall forthwith notify the Divisional Veterinary Officer, who shall examine the animals and shall either—

- (a) certify that they are fit to be slaughtered and used for their intended purpose, or
- (b) by notice in writing served on the official veterinary surgeon require the animals to be slaughtered and destroyed or re-exported, in each case at the expense of the importer.

(4) Where paragraphs (1) and (2) above do not apply, any person who markets any animal consigned to him from another member State, or divides up batches of such animals for distribution or marketing—

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<sup>(6)</sup> OJ No. L224, 18.8.90, p 55.

<sup>(7)</sup> OJ No. L121, 28.7.64, p 2012 (Special edition 1963-64p, 185; relevant amending instrument is Council Directive [91/497/EEC](#) (OJ No. L268, 24.9.91, p 69).

- (a) shall check, before the batch is divided up or marketed, that all the animals comply with the relevant provisions of the directives listed in Schedule 3, or for those animals and animal products specified in Schedule 4, with the animal health conditions applicable to imports into Great Britain, with respect to identification marks and accompanying documentation;
- (b) shall forthwith notify the Divisional Veterinary Officer of any irregularity or anomaly, and
- (c) if there is a breach of Article 3(1)(d) of Council Directive [90/425/EEC](#), shall isolate the animals in question until the Divisional Veterinary Officer has authorised their release in writing.

### **Illegal consignments**

**12.**—(1) If a veterinary inspector knows of or suspects the presence of agents responsible for a disease referred to in Schedule 5 or of a zoonosis, a disease or any cause likely to constitute a serious hazard to animals or humans in animals or animal products imported from another member State, or that those animals or animal products have come from a region contaminated by an epizootic disease, he may by notice served on the person appearing to him to have charge of those animals or products, require that person—

- (a) immediately to detain them (and, in the case of animals, keep them isolated from any other animals), at such place as may be specified in the notice, and to take such further action in relation to them as may be so specified for the purpose of preventing the introduction or spreading of disease into or within Great Britain, or
- (b) without delay, to slaughter them, or slaughter and destroy them, or cause them to be slaughtered, or slaughtered and destroyed, or, in the case of products, destroy them or cause them to be destroyed, in accordance with such conditions as may be specified in the notice.

(2) Subject to the provisions of paragraph (3) below, if an inspector knows or suspects that an animal or animal product does not comply with the provisions of Article 3 of Council Directive [90/425/EEC](#), he may, if animal health and welfare considerations so permit, give the consignor or his representatives by way of notice the choice of—

- (a) where the cause of non-compliance is the presence in animals of excessive residues, maintenance of the animals under supervision until all relevant legislation on residues is complied with and, in the event of failure to comply with that legislation, application of the measures provided for in that legislation, or
- (b) slaughtering the animals or destroying the products in accordance with such conditions as may be specified in the notice, or
- (c) returning the animals or products to the member State of despatch, with the authorisation of the competent authority of the member State of despatch and with prior notification to any member State of transit.

(3) If the only way the consignment fails to comply with legislation is irregularity in documentation, an inspector shall not cause the animals to be returned to the country of despatch without first giving the consignor or his representative a notice requiring him to produce the correct documentation within 7 days and to detain the animal or animal product in accordance with such conditions as may be specified in the notice.

(4) In the event of a notice not being complied with an inspector may seize or cause to be seized any animal or animal product to which it relates, and arrange for the requirements of the notice to be complied with.

(5) The consignor, his representative and the person responsible for the animals and products shall be jointly and severally liable for the costs of any action taken under this regulation.

## PART III

### THIRD COUNTRIES

#### Application

- 13.** This Part of these Regulations shall apply in respect of animals imported into Great Britain—
- (a) from anywhere other than a member State, and
  - (b) from another member State if the animals originated in a country which is not a member State and all the checks provided for in Council Directive [91/496/EEC](#) have not been carried out.

#### Official veterinarians

**14.** The Minister of Agriculture, Fisheries and Food shall from time to time designate such veterinary inspectors to act as official veterinarians as shall be necessary for the purposes of this Part of the Regulations and may revoke such designation at any time.

#### Importation

- 15.—**(1) No person shall import any animal
- (a) either for entry into Great Britain or for export to another member State unless the conditions in Article 5 of Council Directive [91/496/EEC](#) and Articles 3, 4 and 5 of Council Directive [91/628/EEC](#) on the protection of animals during transport<sup>(8)</sup> are complied with as well as any additional legislation applicable in Great Britain, or
  - (b) for immediate re-export, either directly or indirectly, outside the European Economic Community unless such transit has been previously authorised in writing by the Minister and the conditions in Article 9 of Council Directive [91/496/EEC](#) have been complied with.
- (2) No person shall import any animal to which a decision listed in Schedule 6 applies from the country referred to in that decision except in accordance with the provisions of those decisions, including any options exercised by the Minister under those decisions.

#### Places of import

**16.—**(1) No person shall import any animal except at a border inspection post and in accordance with any conditions imposed in Schedule 2 relating to that border post, except that animals specified in Schedule 1 to the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974<sup>(9)</sup> may also be imported at places permitted under that Order.

(2) If animals are imported at any place other than a place permitted under paragraph (1) above, an inspector may, by notice in writing, require the person appearing to him to be in charge of the consignment to detain and isolate the animals in accordance with the notice and the following provisions of this Regulation shall have effect.

(3) Following examination of the animals by a veterinary inspector, the veterinary inspector may serve a further notice on the person appearing to him to be in charge of the consignment either releasing the animals from restriction or requiring the animals to be slaughtered or slaughtered and destroyed or re-exported outside the European Economic Community.

(4) In the event of a notice not being complied with, an inspector may seize the animal or cause it to be seized and arrange for the requirements of the notice to be complied with.

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<sup>(8)</sup> OJ No. L340, 11.12.91, p 17.

<sup>(9)</sup> S.I. [1974/2211](#) to which there are amendments not relevant to these Regulations.

(5) The consignor, his representative and the person responsible for the animals shall be jointly and severally liable for the costs of any action taken under this regulation.

### **Import procedure**

17.—(1) No person shall import any animal unless he has given one working day's notice in writing of his intention to do so, specifying the number, nature and estimated time of arrival of the animal, to the official veterinarian of the border inspection post through which the animal is to be imported.

(2) On importation, the importer or his agent shall convey the animal, under the supervision of the enforcement authority, directly to the border inspection post examination area or, where the decisions listed Schedule 6 or the animal health conditions applicable to imports so require, to a quarantine centre as provided for in the second indent of the first sub-paragraph of Article 10(1) of Council Directive [91/496/EEC](#).

(3) No person shall remove any animal from a quarantine centre or border inspection post unless there has been provided by the official veterinarian a certificate in the form required under Council Directive [91/496/EEC](#) that all necessary veterinary checks have been carried out in accordance with Articles 4(1) and (2)(a), (b) and (d) and 8 and 9 of Council Directive [91/496/EEC](#) to his satisfaction.

(4) No person shall remove any animal from Customs temporary storage arrangements unless the certificate provided under paragraph (3) above has been provided to an officer of Her Majesty's Customs and Excise and the removal has been authorised by him, and except to the address specified in the required documentation unless required to do so by means of a notice served on him by an inspector.

### **Payment of fees**

18. The official veterinarian shall not authorise the release of animals from a quarantine centre or border inspection post unless he is satisfied that all veterinary checks for which a charge is made have been paid for, and that, where relevant, a deposit covering any cost provided for in Article 9.1.a, 9.2, the second and third indents of Article 10.1, Article 10.6 and Article 12.2 of Council Directive [91/496/EEC](#) has been lodged.

### **Consignments constituting a danger to health**

19. Where checks at the quarantine centre or border inspection post reveal that a consignment of animals is likely to constitute a danger to animal or human health, the official veterinarian shall immediately seize and destroy the consignment, and the costs of such action shall be payable by the importer or his representative.

### **Illegal consignments**

20.—(1) Where checks at the quarantine centre or border inspection post reveal that the animals do not comply with Article 5 of Council Directive [91/496/EEC](#) or Articles 3, 4 or 5 of Council Directive [91/628/EEC](#), a veterinary inspector shall, by notice served on the person appearing to him to have charge of those animals, require that person to—

- (a) shelter, feed and water and, if necessary, treat the animals; or
- (b) place them in quarantine or isolate the consignment at such place as may be specified in the notice, and to take such other action in relation to the animals as may be necessary for the purpose of preventing the introduction or spreading of disease into or within Great Britain; or

- (c) re-dispatch them outside the territory of the European Economic Community, where animal health or welfare considerations so permit, within such period as may be specified in the notice.
- (2) Before exercising any of the powers in paragraph (1) above the veterinary inspector shall consult the importer or his representative.
- (3) If the animals are re-dispatched in accordance with paragraph (1)(c) above, the official veterinarian shall cancel the veterinary certificate or document accompanying the rejected consignment.
- (4) If in the opinion of the veterinary inspector re-dispatch is not possible, in particular for reasons of the welfare of animals, he by notice served on the person appearing to him to have charge of the animals—
  - (a) may, after ante-mortem examination, authorise slaughter of the animals for human consumption if so doing would comply with all relevant legislation;
  - (b) must otherwise order the slaughter of the animals for purposes other than human consumption or order the destruction of the carcasses, specifying the conditions regarding control of the use of the products obtained.
- (5) In the event of a notice not being complied with a veterinary inspector may seize or cause to be seized any animal to which it relates, and arrange for the requirements of the notice to be complied with.
- (6) The importer or his representative shall be liable for the costs incurred in measures under this regulation, but shall be entitled, after deduction of costs, to the proceeds of any sale.

#### **Arrival at the place of destination**

**21.** On their arrival at the place of destination, animals for breeding and production shall be detained at the premises by the person having control of those premises, and he shall not release them from those premises unless authorised in writing by an authorised officer of the Minister.

## **PART IV**

### **IMPORTS WHERE CHECKS HAVE BEEN CARRIED OUT IN ANOTHER MEMBER STATE**

#### **Application**

**22.** This Part of these Regulations shall apply in respect of animals imported into Great Britain and which originated outside the European Economic Community but in respect of which all the checks required under Council Directive [91/496/EEC](#) have been carried out in another member State.

#### **Imports**

**23.** No person shall import any animal to which this Part applies unless it is accompanied by the certificate of examination and the authenticated copy of the original health certificate issued at the point of importation into the European Economic Community under Article 7.1 of Council Directive [91/496/EEC](#).



### **Import procedure**

24. The provisions of Regulations 7 to 12, 15(2) and 21 of these Regulations shall apply to animals to which this Part applies as they apply to animals originating within the European Economic Community.

## **PART V GENERAL**

### **Outbreaks of disease in other states**

25.—(1) This Regulation shall apply where the Minister learns of or has reasonable grounds to suspect, either under the procedures set out in Article 10 of Council Directive 90/425/EEC or Article 18 of Council Directive 91/496/EEC, or through any other means, the presence in any other state of a disease referred to in Schedule 5, a zoonosis or any other disease or phenomenon liable to present a serious threat to public or animal health.

(2) In the circumstance described in paragraph (1) above, the Minister may, for the purpose of preventing the introduction or spreading of disease into or within Great Britain, by a declaration to be published in such manner as he thinks fit, give notice of the existence in another state of any disease or zoonosis or other cause likely to constitute a serious hazard, the area subject to the outbreak, and the types of animal or animal product affected.

(3) Upon such declaration being made, the entry into Great Britain of any animal or animal product which is the subject of the declaration shall be in breach of the conditions of import in these Regulations.

(4) A declaration made under this regulation may specify conditions under which the animal or animal product which is the subject of the declaration may be imported.

### **Notification of decisions**

26. If the consignor or his representative so requests, any decision taken refusing entry or varying the conditions of entry shall be forwarded to him in writing by the person taking the decision, giving the reasons for the decision and the details of his right of appeal against the decision, including the relevant time limits.

### **Powers of inspectors**

27.—(1) Subject to Regulation 9 above, an inspector shall, on producing, if required to do so, some duly authenticated document showing his authority, have the right at all reasonable hours to enter any land or premises for the purposes of ascertaining whether there is or has been on the premises any contravention of these Regulations; and in this regulation “premises” includes any place, installation, vehicle, ship, vessel, boat, craft, hovercraft or aircraft.

(2) An inspector shall have powers to carry out all checks and examinations necessary for the enforcement of Council Directive 90/425/EEC and Council Directive 91/496/EEC, and in particular may—

- (a) carry out inspections of any processes used for the marking and identification of animals, any premises and any installation;
- (b) carry out checks on whether staff are complying with the requirements of the -directives listed in Schedule 3 relating to animal products;
- (c) take samples (and, if necessary, send the samples for laboratory testing) from —

- (i) animals held with a view to being sold, put on the market or transported;
  - (ii) products held with a view to being stored or sold, put on the market or transported;
  - (iii) animals or animal products being transported in the course of intra-Community trade;
  - (iv) animals at a border inspection post in the case of third country imports;
  - (v) animals or animal products at the place of destination in the case of an import from another member State;
- (d) examine documentary or data processing material relevant to the checks carried out under these Regulations;
- (e) take with him a representative of the European Commission acting for the purposes of Council Directives [90/425/EEC](#) or [91/496/EEC](#).

### **Obstruction**

**28.**—(1) No person shall—

- (a) intentionally obstruct any person acting in the execution of these Regulations,
- (b) without reasonable cause, fail to give to any person acting in the execution of these Regulations any assistance or information which that person may reasonably require of him for the purposes of his functions under these Regulations, or
- (c) furnish to any person acting in the execution of these Regulations any information which he knows to be false or misleading.

(2) Nothing in paragraph (1)(b) above shall be construed as requiring any person to answer any question or give any information if to do so might incriminate him.

### **Offences by bodies corporate**

**29.**—(1) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—

- (a) any director, manager, secretary or other similar officer of the body corporate, or
- (b) any person who was purporting to act in any such capacity,

he, as well as the body corporate, shall be guilty of the offence and be liable to be proceeded against and punished accordingly.

(2) For the purposes of paragraph (1) above, “director” in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

(3) Where an offence under these Regulations is committed in Scotland by a Scottish partnership and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner, he as well as the partnership shall be guilty of the offence and be liable to be proceeded against and punished accordingly.

### **Penalties**

**30.**—(1) A person contravening any provision of these Regulations or any notice served under them shall be guilty of an offence.

(2) A person guilty of an offence under Regulation 28(1)(a) or (b) above shall be 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.

- (3) A person guilty of any other offence under these Regulations shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment not exceeding three months or to both;
  - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

### **Disapplication of provisions**

**31.** The provisions of the legislation listed in Schedule 7 shall not apply to imports from another member State of animals and animal products to which a directive listed in Schedule 3 applies, or to imports of an animal to which a decision listed in Schedule 6 applies from the country subject to that decision, to the extent specified in column 3 of that Schedule.

### **Revocations**

**32.** The Exportation of Pigeons Order 1983<sup>(10)</sup> and the Diseases of Animals (Export Health Certificates) Order 1985<sup>(11)</sup> are hereby revoked.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd December 1992.

L.S.

Scottish Office  
23rd December 1992

*John Selwyn Gummer*  
*Hector Monro*  
Minister of Agriculture, Fisheries and  
Food  
Parliamentary Under Secretary of State,

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<sup>(10)</sup> S.I. 1983/872.  
<sup>(11)</sup> S.I. 1985/217.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 1

Regulation 1(2)

### AMENDMENTS TO DIRECTIVES

1. Council Directive [90/425/EEC](#) has been amended by, and must be read subject to:
  - Council Directive [90/539/EEC](#) (OJNo. L303, 31.10.90, p 6);
  - Council Directive [90/667/EEC](#) (OJ No. L363, 27.12.90, p 51);
  - Council Directive [90/675/EEC](#) (OJ No. L373, 31.12.90, p 1);
  - Council Directive [91/67/EEC](#) (OJ No. L46, 19.2.91, p 1);
  - Council Directive [91/68/EEC](#) (OJ No. L46, 19.2.91, p 19);
  - Council Directive [91/174/EEC](#) (OJ No. L85, 5.4.91, p 37);
  - Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p 56);
  - Council Directive [91/628/EEC](#) (OJ No. L340, 11.12.91, p 17);
  - Council Directive [92/60/EEC](#) (OJ No. L268, 14.9.92, p 75); and
  - Council Directive [92/65/EEC](#) (OJ No. L268, 14.9.92, p 54).
2. Council Directive [91/496/EEC](#) has been amended by, and must be read subject to:
  - Council Directive [91/628/EEC](#) (OJ No. L340, 11.12.91, p 17);
  - Commission Decision [92/424/EEC](#) (OJ No. L232, 14.8.92, p 34);
  - Commission Decision [92/431/EEC](#) (OJ No. L237, 20.8.92, p 23);
  - Commission Decision [92/432/EEC](#) (OJ No. L237, 20.8.92, p 29);
  - Council Decision [92/438/EEC](#) (OJ No. L243, 25.8.92, p 27);
  - Commission Decision [95/527/EEC](#) (OJ No. L332, 18.11.92, p 22);and
  - Commission Decision adopted on 1 December 1992 laying down certain transitional measures to facilitate transition to the new arrangements for the organisation of veterinary checks provided for in Article 8 of Directive [91/496/EEC](#) and replacing Decision [92/501/EEC](#) (not yet published in the Official Journal).

## SCHEDULE 2

Regulations 1(2) and 16(1)

### BORDER INSPECTION POSTS

Birmingham Airport  
Gatwick Airport  
Glasgow Airport  
Heathrow Airport  
Immingham Port  
Luton Airport  
Manchester Airport  
Stansted Airport.

SCHEDULE 3

Regulations 4, 5(a), 5(c), 6, 9(1), 9(2) and  
11(4)(a)

MEASURES TO BE COMPLIED WITH

I.

VETERINARY LEGISLATION

1. Council Directive 64/432 of 26th June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine; OJ No. L121, 29.7.64, p 1977 (Special Edition 1963-64, p 164), as amended by:

Council Directive [66/600/EEC](#) (OJ No. L192, 23.10.66, p 3294; Special Edition 1965-66, p 234);

Council Directive [71/285/EEC](#) (OJ No. L175, 9.8.71, p 1; Special Edition 1971 (II), p 649);

The Act of Accession to the European Communities of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland (OJ No. L73, Special Edition, 27.3.72);

Council Directive [73/150/EEC](#) (OJ No. L172, 28.6.73, p 18);

Council Directive [77/98/EEC](#) (OJ No. L26, 31.1.77, p 81);

Council Directive [79/109/EEC](#) (OJ No. L29, 3.2.79, p 20);

The Act concerning the conditions of accession of the Hellenic Republic to the European Communities (OJ No. L291, 19.11.79, p 17);

Council Directive [79/111/EEC](#) (OJ No. L29, 3.2.79, p 26);

Council Directive [80/219/EEC](#) (OJ No. L047, 21.2.80, p 25);

Council Directive [80/1098/EEC](#) (OJ No. L323, 1.12.80, p 11);

Council Directive [80/1274/EEC](#) (OJ No. L375, 31.12.80, p 75);

Council Directive [82/61/EEC](#) (OJ No. L29, 6.2.82, p 13);

Council Directive [83/642/EEC](#) (OJ No. L358, 22.12.83, p 41);

Council Directive [84/643/EEC](#) (OJ No. L339, 27.12.84, p 27);

Council Directive [84/644/EEC](#) (OJ No. L339, 27.12.84, p 30);

Council Directive [85/320/EEC](#) (OJ No. L168, 28.6.85, p 36);

Council Directive [85/586/EEC](#) (OJ No. L372, 31.12.85, p 44);

Council Regulation [3768/85/EEC](#) (OJ No. L362, 31.12.85, p 8);

Council Decision [87/231/EEC](#) (OJ No. L99, 11.4.87, p 18);

Council Directive [87/489/EEC](#) (OJ No. L280, 3.10.87, p 28);

Council Directive [88/406/EEC](#) (OJ No. L194, 22.7.88, p 1);

Council Directive [89/360/EEC](#) (OJ No. L153, 6.6.89, p 29);

Council Directive [89/662/EEC](#) (OJ No. L395, 30.12.89, p 13);

Council Directive [90/422/EEC](#) (OJ No. L224, 18.8.90, p 9);

Council Directive [90/423/EEC](#) (OJ No. L224, 18.8.90, p 13);

Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p 29);

Commission Decision [91/13/EEC](#) (OJ No. L8, 11.1.91, p 26);

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Council Directive [91/499/EEC](#) (OJ No. L268, 24.9.91, p 107);

Council Directive [91/687/EEC](#) (OJ No. L377, 31.12.91, p 16);

Council Directive [92/65/EEC](#) (OJ No. L268, 14.9.92, p 54);

Relevant provisions: Articles 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.10, 4, 4a, 4b, 6, 9, 9a, 9b, 10.

- (a) The official health certification accompanying cattle and swine imported into Great Britain must confirm that the animals in question have never been vaccinated against Foot and Mouth Disease.
- (b) The official health certificate accompanying all cattle exported from Great Britain must contain the statement “They are animals in accordance with Commission Decision [89/469/EEC](#) of 28th July 1989 as amended by Commission Decision [90/261/EEC](#) of 8th June 1990 concerning certain protection measures relating to bovine spongiform encephalopathy in the United Kingdom” (OJ Nos. L225, 3.8.89, p 51 and L146, 9.6.90, p 29).
- (c) The official health certificate accompanying all cattle imported into Great Britain from Portugal must contain the statement “Live cattle in accordance with Commission Decision [91/52/EEC](#) on contagious bovine pleuro-pneumonia” (OJ No. L34, 6.2.91, p 12).
- (d) The official health certificate accompanying all cattle imported into Great Britain from Italy must contain the statement “Live cattle in accordance with Commission Decision [91/56/EEC](#) on contagious bovine pleuro-pneumonia” (OJ No. L35, 7.2.91, p 29).
- (e) The official health certificate accompanying all swine imported into Great Britain from any other member State other than Denmark must contain the statement “Pigs in accordance with Commission Decision adopted on 11th November 1992 concerning Aujeszky’s disease. In the case of pigs for breeding, the test used was the whole virus ELISA/ELISA for g1 antibody (delete where applicable)”. The Decision has not yet been published in the Official Journal.

2. Council Directive [88/407/EEC](#) of 14th June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species—

OJ No. L194, 22.7.88, p 10 as amended by:

Council Directive [90/120/EEC](#) (OJ No. L71, 17.3.90, p 37);

Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p 29);

Relevant provisions: Articles 3, 4.1, 6.

3. Council Directive [89/556/EEC](#) of 25th September 1989 on animal health conditions concerning intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species—

OJ No. L302, 19.10.89, p 1 as amended by:

Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p 29);

Relevant provisions: Articles 3, 4.1, 6.

4. Council Directive [90/426/EEC](#) of 26th June 1990 on health conditions governing the movement of equidae and their import from third countries—

OJ No. L224, 18.8.90, p 42, which was amended by and must be read subject to:

Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p 29);

Commission Decision [90/552/EEC](#) (OJ No. L313, 13.11.90, p 38);

Commission Decision [90/553/EEC](#) (OJ No. L313, 13.11.90, p 40);

Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p 56);  
Commission Decision [91/645/EEC](#) (OJ No. L349, 18.12.91, p 43);  
Council Directive [92/36/EEC](#) (OJ No. L157, 10.6.92, p 28);  
Commission Decision [92/101/EEC](#) (OJ No. L39, 15.2.92, p 46);  
Commission Decision [92/130/EEC](#) (OJ No. L47, 22.2.92, p 26);  
Commission Decision [92/531/EEC](#) (OJ No. L334, 19.11.92, p 34);  
Relevant provisions: Articles 4, 5, 7.1, 7.2, 8.

The requirements of Article 4.1, 4.2 and 8 shall not apply in respect of the export to or the import from the Republic of Ireland of any equidae, or the export to or the import from France of registered horses accompanied by an identification document provided for in Council Directive [90/427/EEC](#) (OJ No. L224, 18.8.90, p 55).

**5.** Council Directive [90/429/EEC](#) of 26th June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species;

OJ No. L224, 18.8.1990, p 62;

Relevant provisions: Articles 3, 4.1, 4.2, 6.1.

The official health certification accompanying all porcine semen imported into Great Britain from any other member State must state that the semen was collected from boars “on a collection centre which only contains animals that have not been vaccinated against Aujeszky’s disease and which have reacted negatively to the serum neutralisation test or to the ELISA test for Aujeszky’s disease, in accordance with the provisions of Council Directive [90/429/EEC](#)” and paragraph 13(b)(ii) of the model health certificate provided in Annex D of Council Directive [90/429/EEC](#) must be deleted in all cases.

**6.** Council Directive [90/539/EEC](#) of 15th October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of poultry and hatching eggs—

OJ No. L303, 30.10.90, p 6 as amended by:

Council Directive [91/494/EEC](#) (OJ No. L268, 24.9.91, p 35);

Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p 56);

Commission Decision [92/369/EEC](#) (OJ No. L195, 14.7.92, p 25);

Relevant provisions: Articles 6 to 11, 12.1, 13 to 17.

**7.** Council Directive [90/667/EEC](#) laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feeding stuffs of animal or fish origin—

OJ No. L363, 27.12.90, p 51;

Relevant provisions: Articles 3 and 5.

**8.** Council Directive [91/67/EEC](#) concerning the animal health conditions governing the placing on the market of aquaculture animals and products—

OJ No. L46, 19.2.91, p 1 as read with:

Commission Decision [92/528/EEC](#) (OJ No. L332, 18.11.92, p 25);

Commission Decision [92/532/EEC](#) (OJ No. L337, 21.11.92, p 18);

Commission Decision [92/538/EEC](#) (OJ No. L347, 28.11.92, p 67);

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Commission Decision of 11th December 1992 laying down the model of the movement documents referred to in Article 14 of Council Directive [91/67/EEC](#) (Not yet published in the Official Journal);

Relevant provisions: Articles 3, 4, 7 to 11, 14 and 16.

**9.** Council Directive [91/68/EEC](#) of 28th January 1991 on animal health conditions governing - intra-Community trade in ovine and caprine animals—

OJ No. L046, 19.02.91, p 19;

Relevant provisions: Articles 4 to 9.

- (a) Only ovine and caprine animals which have never been vaccinated against Foot and Mouth Disease may be imported into Great Britain.
- (b) Only uncastrated rams for breeding which have been tested for contagious epididymitis (*Brucella ovis*) in accordance with Article 6.c of Council Directive [91/68/EEC](#) may be imported into Great Britain.
- (c) The official health certification accompanying all sheep and goats for fattening and breeding imported into Great Britain must confirm that the animals are eligible for entry into an officially brucellosis free ovine or caprine holding in accordance with Annex A, Chapter 1, point D of Council Directive [91/68/EEC](#).

**10.** Council Directive [91/628/EEC](#) on the protection of animals during transport—

OJ No. L340, 11.12.91, p 17;

Relevant provisions: Articles 4, 6, 8, 11 and 15.

## II.

### ZOOTECHNICAL LEGISLATION

**11.** Council Directive [77/504/EEC](#) of 25th July 1977 on pure-bred breeding animals of the bovine species—

OJ No. L206, 12.8.77, p 8 as amended by:

The Act concerning the conditions of accession of the Hellenic Republic to the European Communities (OJ No. L291, 19.11.79, p 17);

Council Directive [79/268/EEC](#) (OJ No. L62, 13.3.79, p 5);

Council Regulation 3768/85/EEC (OJ No. L362, 31.12.85, p 8);

Council Directive [85/586/EEC](#) (OJ No. L372, 31.12.85, p 44);

Council Directive [91/174/EEC](#) (OJ No. L85, 5.4.91, p 37).

**12.** Council Directive [88/661/EEC](#) of 19th December 1988 on the zootechnical standards applicable of breeding animals of the porcine species—

OJ No. L382, 31.12.88, p 36.

**13.** Council Directive [89/361/EEC](#) of 30th May 1989 concerning pure-bred breeding sheep and goats—

OJ No. L153, 8.6.89, p 30.

**14.** Council Directive [90/427/EEC](#) of 26th June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae—

OJ No. L224, 18.8.90, p 55.



SCHEDULE 4 Regulations 4, 5(b), 9(1), 9(2) and 11(4)(a)

ANIMALS AND ANIMAL PRODUCTS NOT COVERED BY COMMUNITY LEGISLATION

- A. Other live animals not covered by Schedule 3 Part 1.
- B. Semen, ova and embryos not covered by Schedule 3 Part 1.

SCHEDULE 5 Regulations 12(1) and 25(1)

LIST OF DISEASES

Foot and mouth disease  
Classical swine fever  
African swine fever  
Swine vesicular disease  
Newcastle disease  
Rinderpest  
Peste des petits ruminants  
Vesicular stomatitis  
Blue tongue  
African horse sickness  
Viral equine encephalomyelitis  
Teschen disease  
Avian influenza  
Sheep and goat pox  
Lumpy skin disease  
Rift valley fever  
Contagious bovine pleuropneumonia  
Bovine spongiform encephalopathy  
Infectious haematopoietic necrosis.

SCHEDULE 6 Regulations 15(2), 17(2) and 24

COMMUNITY LEGISLATION ON THIRD COUNTRIES

1. Commission Decision [83/494/EEC](#) concerning animal health conditions and veterinary certification for the importation of domestic animals of the bovine and porcine species from Canada (OJ No. L273, 6.10.83, p 37).

The official health certification accompanying all cattle imported into Great Britain from Canada must state that the animals do not originate from herds in the geographic region of the Okanagan Valley in British Columbia as defined by Commission Decision [88/212/EEC](#) on health protection measures concerning bluetongue in respect of Canada (OJ No. L95, 13.4.88, p 21). Cattle imported from Canada may only land in Great Britain between 1st February and 15th April inclusive.

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The official health certification accompanying all swine imported into Great Britain from Canada must state that the animals comply with the requirements of Commission Decision adopted on 11th November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of the disease. (Not yet published in the Official Journal).

2. Commission Decision [91/190/EEC](#) concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Austria (OJ No. L96, 17.4.91, p 16).

The official health certification accompanying all cattle imported into Great Britain from Austria must state that the animals have never been vaccinated against Foot and Mouth Disease.

The official health certification accompanying all swine imported into Great Britain from Austria must state that the animals comply with the requirements of Commission Decision adopted on 11th November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of the disease. (Not yet published in the Official Journal).

3. Commission Decision [92/260/EEC](#) on animal health conditions and veterinary certification for temporary admission of registered horses (OJ No. L130, 15.5.92, p 67).

4. Commission Decision [92/322/EEC](#) concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Hungary (OJ No. L177, 20.6.92,p1).

The official health certification accompanying all cattle imported into Great Britain from Hungary must state that the animals have never been vaccinated against Foot and Mouth Disease.

The official health certification accompanying all swine imported into Great Britain from Hungary must state that the animals comply with the requirements of Commission Decision adopted on 11th November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of the disease. (Not yet published in the Official Journal).

5. Commission Decision [92/323/EEC](#) concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Poland (OJ No. L177, 20.6.92, p 18).

The official health certification accompanying all cattle imported into Great Britain from Poland must state that the animals have never been vaccinated against Foot and Mouth Disease.

The official health certification accompanying all swine imported into Great Britain from Poland must state that the animals comply with the requirements of Commission Decision adopted on 11th November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of the disease. (Not yet published in the Official Journal).

6. Commission Decision [92/324/EEC](#) concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Czechoslovakia (OJ No. L177, 20.6.92, p 35).

The official health certification accompanying all cattle imported into Great Britain from Czechoslovakia must state that the animals have never been vaccinated against Foot and Mouth Disease.

The official health certification accompanying all swine imported into Great Britain from Czechoslovakia must state that the animals comply with the requirements of Commission Decision adopted on 11th November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of the disease. (Not yet published in the Official Journal).

7. Commission Decision [92/325/EEC](#) concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Bulgaria (OJ No. L177,20.6.92, p 52).

The official health certification accompanying all cattle imported into Great Britain from Bulgaria must state that the animals have never been vaccinated against Foot and Mouth Disease.

The official health certification accompanying all swine imported into Great Britain from Bulgaria must state that the animals comply with the requirements of Commission Decision adopted on 11th November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of the disease. (Not yet published in the Official Journal).

8. Commission Decision [92/401/EEC](#) concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Norway (OJ No. L224, 8.8.92, p 1).

The official health certification accompanying all swine imported into Great Britain from Norway must state that the animals comply with the requirements of Commission Decision adopted on 11th November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of the disease. (Not yet published in the Official Journal).

9. Commission Decision [92/402/EEC](#) concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Romania (OJ No. L224, 8.8.92, p 18).

The official health certification accompanying all cattle imported into Great Britain from Romania must state that the animals have never been vaccinated against Foot and Mouth Disease.

The official health certification accompanying all swine imported into Great Britain from Romania must state that the animals comply with the requirements of Commission Decision adopted on 11th November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of disease. (Not yet published in the Official Journal).

10. Commission Decision [92/460/EEC](#) concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Switzerland (OJ No. L261, 7.9.92, p 1).

The official health certification accompanying all swine imported into Great Britain from Switzerland must state that the animals comply with the requirements of Commission Decision adopted on 11th November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of the disease. (Not yet published in the Official Journal).

11. Commission Decision [92/461/EEC](#) concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Sweden (OJ No. L261, 7.9.92, p 18).

The official health certification accompanying all swine imported into Great Britain from Sweden must state that the animals comply with the requirements of Commission Decision adopted on 11th November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of the disease. (Not yet published in the Official Journal).

12. Commission Decision [92/462/EEC](#) concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Finland (OJ No. L261, 7.9.92, p 34).

The official health certification accompanying all swine imported into Great Britain from Finland must state that the animals comply with the requirements of Commission Decision adopted on 11th

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November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of the disease. (Not yet published in the Official Journal).

13. Commission Decision [92/463/EEC](#) concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Iceland (OJ No. L261, 7.9.92, p 50).

The official health certification accompanying all swine imported into Great Britain from Iceland must state that the animals comply with the requirement of Commission Decision adopted on 11th November 1992 concerning additional guarantees relating to Aujeszky's disease for pigs destined to member States or regions free of the disease. (Not yet published in the Official Journal).

## SCHEDULE 7

Regulation 31

## LEGISLATION WHICH DOES NOT APPLY

<i>Title</i>	<i>Reference</i>	<i>Extent</i>
The Diseases of Fish Act 1937	<a href="#">1937 c. 33</a>	Section 1
The Importation of Animals Order 1977	<a href="#">S.I.1977/944</a>	Articles 3, 4(7), 4(8), 5(1) to (3), 7(1), 8 to 14, 16, 17, 18(1) (b), 18(3), 19 to 21, 23, 24 and 25(2)
The Importation of Equine Animals Order 1979	<a href="#">S.I. 1979/1701</a>	The Whole Order
The Importation of Birds, Poultry and Hatching Eggs Order 1979	<a href="#">S.I. 1979/1702</a>	Articles 4 to 7, 9(3) to (6), 10 to 12 except that Article 4 shall continue to apply to domestic fowl and their hatching eggs
The Importation of Embryos, Ova and Semen Order 1980 as amended by the Importation of Embryos, Ova and Semen Order 1984	<a href="#">S.I. 1980/12</a> as amended by <a href="#">S.I. 1984/1326</a>	The Whole Order
The Diseases of Fish Regulations 1984	<a href="#">S.I. 1984/455</a>	Regulations 2 and 5
The Importation of Bovine Semen Regulations 1984	<a href="#">S.I. 1984/1325</a>	The whole Regulations

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement Council Directive [90/425/EEC](#) concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the single market (OJ No. L224, 18.8.90, p 29) and Council Directive [91/496/EEC](#) laying down the principles governing the organisation of veterinary checks on animals entering the community from third countries (OJ No. L268, 24.9.91, p 56).

With respect to intra-Community trade, the Regulations make it an offence to export, import or transport for intra-Community trade any animal or animal product to which directive [90/425/EEC](#) applies except in accordance with that directive, and creates a procedure for the registration of dealers in animals and animal products (Regulations 5 to 8).

The Regulations give to inspectors the powers of inspection and examination specified in the directive, together with necessary powers of entry (Regulations 9 and 27).

They place duties on consignees of animals and animal products, and specify the procedure to be followed in the event of a consignment being illegal (Regulations 10 to 12).

With respect to importation of animals from third countries, the Regulations prohibit the import of any animal unless the conditions of Council Directive [91/496/EEC](#) and Council Directive [91/628/EEC](#) are complied with (Regulation 15). They specify the places at which animals may be imported, and the procedure for importation (Regulations 16 and 17), provide for the payment of fees (Regulation 18) and procedures to be followed when the consignments constitutes a danger to health or are otherwise illegal (Regulations 19 and 20) and specify that, at the place of destination, animals for breeding and production may not be released until authorised by an officer or Minister (Regulation 21).

They regulate the import of animals originating outside the European Economic Community but in respect of which all necessary checks have been carried out in another member State (Regulations 22 to 24).

They give powers to take action in the event of an outbreak of disease in another state (Regulation 25) and make provision for notification of decision, powers of entry, and penalties.

They revoke the Exportation of Pigeons Order 1983 (S.I. [1983/872](#)) and the Disease of Animals (Export Health Certificates) Order 1985 (S.I. [1985/217](#)). They disapply from intra-Community trade the provisions in Schedule 7.