

Commission Regulation (EC) No 119/2009 of 9 February 2009 laying down a list of third countries or parts thereof, for imports into, or transit through, the Community of meat of wild leporidae, of certain wild land mammals and of farmed rabbits and the veterinary certification requirements (Text with EEA relevance)

Article 1

Subject matter and scope

- 1 This Regulation lays down:
- a a list of third countries [^{F1}and makes provision for the specification for the purposes of this Regulation by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), of third countries or parts] thereof from which the following commodities may be imported into, or transit through [^{F2}Great Britain]:
 - (i) meat of wild leporidae not containing offal, except for unskinned and unviscerated wild leporidae;
 - (ii) meat of wild land mammals other than ungulates and leporidae, not containing offal;
 - (iii) meat of farmed rabbits;
 - b the veterinary certification requirements for the commodities listed in points (i), (ii) and (iii) (the commodities).
- 2 ^{F3}... For the purposes of this Regulation, transit covers storage during transit (including putting into storage, as referred to in [^{F4}Commission Delegated Regulation (EU) 2019/2124]).
- 3 This Regulation shall apply without prejudice to:
- (i) specific certification requirements provided for in [^{F5}agreements between the United Kingdom and] third countries;
 - (ii) the relevant rules on certification contained within legislation implementing Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein.

Textual Amendments

- F1** Words in Art. 1 substituted (1.7.2022) by The Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022 (S.I. 2022/735), regs. 1(2), **4(2)**
- F2** Words in Art. 1(1)(a) substituted (31.12.2020) by The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), **54(2)(a)** (with regs. 69-71)
- F3** Words in Art. 1(2) omitted (31.12.2020) by virtue of The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), **54(2)(b)(i)** (with regs. 69-71)
- F4** Words in Art. 1(2) substituted (31.12.2020) by The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), **54(2)(b)(ii)** (with regs. 69-71)

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 119/2009. (See end of Document for details)

- F5** Words in Art. 1(3)(i) substituted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(2)(c)** (with regs. 69-71)

[^{F6}Article 2

Interpretation

For the purposes of this Regulation—

- a) “additional guarantee” means the guarantee given under paragraph 2 of Article 2a;
- b) “wild leporidae” means wild rabbits and hares.]

Textual Amendments

- F6** [Art. 2](#) substituted (1.7.2022) by [The Import of Animals and Animal Products and Approved Countries \(Amendment\) Regulations 2022 \(S.I. 2022/735\)](#), regs. 1(2), **4(3)**

[^{F7}Article 2a

Additional guarantees

1 The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may impose conditions relating to the protection of public health, animal health or food safety in Great Britain on the import of a commodity from a third country listed in Part 1 of Annex 1, or a part thereof.

2 The person exporting the commodity from the third country to Great Britain, or another person acting on their behalf, must provide evidence that any condition imposed under paragraph 1 in relation to the commodity is satisfied by giving an additional guarantee in accordance with the veterinary certificate for the commodity concerned.

3 The Secretary of State must publish any conditions imposed under paragraph 1 and the commodities to which they relate in a document published for the purposes of this Article.

Textual Amendments

- F7** [Arts. 2a, 2b](#) inserted (1.7.2022) by [The Import of Animals and Animal Products and Approved Countries \(Amendment\) Regulations 2022 \(S.I. 2022/735\)](#), regs. 1(2), **4(4)**

Article 2b

Code of third country or part thereof

The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article a system of words, letters or numbers representing, for the purposes of a veterinary certificate under this Regulation, a third country listed in Part 1 of Annex 1, or part thereof.]

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 119/2009. (See end of Document for details)

Textual Amendments

- F7** Arts. 2a, 2b inserted (1.7.2022) by The Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022 (S.I. 2022/735), regs. 1(2), **4(4)**

[^{F10}Article 3

^{F8} ... Third countries or parts thereof from which commodities may be imported into, or transit through, [^{F9}Great Britain]

The commodities that may be imported into, or transited through, Great Britain from a third country are confined to those from [^{F11}such of the third countries] listed in Part 1 of Annex I [^{F12}or parts thereof, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article]; and in this Regulation “third country” means any country or territory other the British Islands.]

Textual Amendments

- F8** Words in Art. 3 heading omitted (1.7.2022) by virtue of The Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022 (S.I. 2022/735), regs. 1(2), **4(5)(a)**
- F9** Words in Art. 3 heading substituted (31.12.2020) by The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), **54(4)(a)** (with regs. 69-71)
- F10** Words in Art. 3 substituted (31.12.2020) by The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1462), regs. 1(3), **54(4)(b)** (with regs. 69-71)
- F11** Words in Art. 3 substituted (1.7.2022) by The Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022 (S.I. 2022/735), regs. 1(2), **4(5)(b)**
- F12** Words in Art. 3 inserted (1.7.2022) by The Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022 (S.I. 2022/735), regs. 1(2), **4(5)(c)**

Article 4

Veterinary certification

1 Commodities imported into [^{F13}Great Britain] shall be accompanied by a veterinary certificate drawn up in accordance with the model certificate [^{F14}, in the form published by the appropriate authority from time to time], for the commodity concerned ^{F15}....

2 Commodities in transit through [^{F16}Great Britain] shall be accompanied by a certificate drawn up in accordance with the model certificate [^{F17}, in the form published by the appropriate authority from time to time].

3 Compliance with the additional guarantees, as required [^{F18}for Great Britain,] shall be certified by completing the appropriate section in the veterinary certificate for the commodity concerned.

4 Electronic certification ^{F19}... may be used.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 119/2009. (See end of Document for details)

[^{F20}5. “Appropriate authority” means the Secretary of State (in relation to England), the Welsh Ministers (in relation to Wales) and the Scottish Ministers (in relation to Scotland); but the “appropriate authority” is the Secretary of State if consent is given by:

- a in relation to Wales, the Welsh Ministers;
- b in relation to Scotland, the Scottish Ministers.]

Textual Amendments

- F13** Words in Art. 4(1) substituted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(5)(a)(i)** (with regs. 69-71)
- F14** Words in Art. 4(1) substituted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(5)(a)(ii)** (with regs. 69-71)
- F15** Words in Art. 4(1) omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(5)(a)(iii)** (with regs. 69-71)
- F16** Words in Art. 4(2) substituted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(5)(b)(i)** (with regs. 69-71)
- F17** Words in Art. 4(2) substituted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(5)(b)(ii)** (with regs. 69-71)
- F18** Words in Art. 4(3) substituted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(5)(c)** (with regs. 69-71)
- F19** Words in Art. 4(4) omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(5)(d)** (with regs. 69-71)
- F20** Art. 4(5) inserted (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(5)(e)** (with regs. 69-71)

^{F21}Article 5

Derogation for transit through Latvia, Lithuania and Poland

Textual Amendments

- F21** Art. 5 omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(6)** (with regs. 69-71)

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 119/2009. (See end of Document for details)

F22 Article 5a

Matters relating to the exercise of powers under this Regulation

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal or public health in the United Kingdom, taking into account the animal health criteria and the public health criteria.
2. The provisions are—
 - a Article 2a (additional guarantees)
 - b Article 3 (specification of third countries or parts thereof from which commodities may be imported into, or transit through, Great Britain).
3. Any assessment which is relied upon for the purposes of paragraph 1 must have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales).
4. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 2, the Secretary of State must have regard to that request.
5. In this Article—

“animal health criteria” means the criteria set out in Schedule 1 to the Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019;

“public health criteria” means the criteria set out in Schedule 2 to those Regulations.]

Textual Amendments

F22 Art. 5a inserted (1.7.2022) by [The Import of Animals and Animal Products and Approved Countries \(Amendment\) Regulations 2022 \(S.I. 2022/735\)](#), regs. 1(2), **4(6)**

Article 6

Repeal

Decision 2000/585/EC is repealed.

References to the repealed Decision shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex IV.

F23 Article 7

Transitional provisions

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 119/2009. (See end of Document for details)

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Textual Amendments

F23 Art. 7 omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(6)** (with regs. 69-71)

Article 8

Entry into force and applicability

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 June 2009.

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Textual Amendments

F24 Words in Signature omitted (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **54(6)** (with regs. 69-71)

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 119/2009.