

2001 No. 242

EUROPEAN COMMUNITIES

ANIMALS

**Products of Animal Origin (Import and Export) (Amendment)
Regulations (Northern Ireland) 2001**

Made 21st June 2001

Coming into operation 16th July 2001

The Department of Agriculture and Rural Development, being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Products of Animal Origin (Import and Export) (Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 16th July 2001.

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

Amendment of the Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998

2. The Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998(d) shall be amended as provided in regulations 3 and 4.

Consignments posing a risk to health and illegal consignments

3. For regulation 15(2) there shall be substituted the following provision—

“(2) If an authorised officer has reasonable grounds for believing that any product of animal origin does not comply with animal or public health conditions relating to import into Northern Ireland or the European Community he may, subject to the following paragraphs, by means of a notice served on the person appearing to him to have charge of the

(a) S.I. 1972/1811
(b) 1972 c. 68
(c) 1954 c. 33 (N.I.)
(d) S.R. 1998 No. 45 as amended by S.R. 2000 No. 78 and S.R. 2000 No. 191

consignment, prohibit the movement of the consignment except as specified in the notice, and either—

- (a) order the destruction of those products; or
- (b) if public or animal health considerations so permit, give the person on whom the notice was served the choice of destroying those products or using them for such other purpose as may be specified in the notice including returning them (with the authorisation of the competent authority of the country of the establishment of origin) to the country of origin.”.

Places of import

4. For regulation 19(2) there shall be substituted the following provision—

“(2) Where an authorised officer has reasonable grounds for believing that any product of animal origin does not comply with animal or public health conditions relating to import he may, by notice in writing, require the person appearing to be in charge of that product to destroy it or re-export it, in each case under the control and direction of the authorised officer.”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 21st June 2001.

(L.S.)

R. S. Johnston
A senior officer of the Department of
Agriculture and Rural Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998 (S.R. 1998 No. 45, as amended) so as to extend the powers of authorised officers as regards products of animal origin which have been imported otherwise than in accordance with those Regulations or which constitute a risk to animal or human health.

The effect of the amendments made by these Regulations is to confer on an authorised officer of the Department of Agriculture and Rural Development, the Food Standards Agency or a district council the power—

- (i) in respect of intra-Community trade, to prohibit the movement of products of animal origin which he has reasonable grounds for believing do not comply with animal or public health conditions relating to import into Northern Ireland or the European Community and either order such products to be destroyed, re-exported or used for specified purposes (regulation 3); and
- (ii) in respect of imports from third countries, to require the destruction or re-export of products of animal origin which he has reasonable grounds for believing do not comply with animal or public health conditions relating to import (regulation 4).

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