

2005 No. 446

EUROPEAN COMMUNITIES

ANIMALS

**The Animals and Animal Products (Import and Export)
(Amendment) Regulations (Northern Ireland) 2005**

Made - - - - - *10th October 2005*

Coming into operation - - - - - *7th November 2005*

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 all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 7th November 2005.

Interpretation

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 Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2005

3. The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2005(d) shall be amended in accordance with these Regulations.

4. In paragraph (1) of Regulation 2 (Interpretation)—

(a) After “2.—(1) In these Regulations—” there shall be inserted—

““approved assembly centre” means an assembly centre approved by the Department in accordance with regulation 12;”;

(b) After “dealer” there shall be inserted—

““the Department” means the Department of Agriculture and Rural Development;”.

(a) S.I. 2000/2812
(b) 1972 c. 68
(c) 1954 c. 33 (N.I.)
(d) S.R. 2005 No.78

5. For paragraph 4 of Regulation 2 (Interpretation) there shall be substituted the following paragraphs—

“(4) References in these Regulations to the European Union legislation listed in this paragraph shall be construed as follows—

“Commission Regulation (EC) No. 282/2004” means Commission Regulation (EC) No. 282/2004 introducing a document for the declaration of, and veterinary checks on, animals from third countries entering the Community(a)

“Council Directive 64/432/EEC” means Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine(b), as amended by and as read with the instruments listed in paragraph 1 of Part I of Schedule 2;

“Council Directive 90/425/EEC” has the meaning given in paragraph 4(a);

“Council Directive 90/427/EEC” means Council Directive 90/427/EEC on the zootechnical and genealogical conditions governing intra-Community trade in equidae(c), as amended by and as read with the instruments listed in paragraph 17 of Part I of Schedule 2;

“Council Directive 90/539/EEC” means Council Directive 90/539/EEC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs(d), as amended by and as read with, in relation to intra-Community trade with the instruments listed in paragraph 6 of Part I of Schedule 2 and in relation to imports from third countries, the instruments listed in paragraph 9 of Part II of Schedule 4;

“Council Directive 91/67/EEC” means Council Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products(e), as amended by and as read with the instruments listed in paragraph 8 of Part I of Schedule 2;

“Council Directive 91/68/EEC” means Council Directive 91/68/EEC on animal health conditions governing intra-Community trade in ovine and caprine animals(f), as amended by and as read with the instruments listed in paragraph 11 of Part I of Schedule 2;

“Council Directive 91/496/EEC” has the meaning given in paragraph 4(b);

“Council Directive 92/65/EEC” means Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(1) to Council Directive 90/425/EEC(g), as amended by and as read with, in relation to intra-Community trade, the instruments listed in paragraph 12 of Part I of Schedule 2, and in relation to imports from third countries, the instruments listed in paragraph 10 of Part II of Schedule 4;

“Regulation (EC) No. 998/2003” means Regulation (EC) No. 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC(h), as amended by Commission Regulation (EC) No. 2054/2004(i);

(4A) Unless specifically defined in these Regulations, any expression used in these Regulations has the meaning it bears in the following instruments—

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- (a) O.J. No. L49, 19.2.2004, p.11
(b) O.J. No. P 121, 29.7.64, p.1977: but see O.J. No. L109, 25.4.97, p.1 in which is published Council Directive 97/12/EC amending and updating Directive 64/432/EEC which substantially substituted new text
(c) O.J. No. L224, 18.8.90, p.55
(d) O.J. No. L303, 30.10.90, p.6
(e) O.J. No. L46, 19.2.91, p.1
(f) O.J. No. L46, 19.2.91, p.19
(g) O.J. No. L224, 18.8.90, p.29
(h) O.J. No. L146, 13.6.2003, p.1
(i) O.J. No. L355, 1.12.2004, p.14

- (a) 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^(a) as amended by and as read with the instruments listed in paragraph 1 of Schedule 1; and
- (b) Council Directive 91/496/EEC laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries^(b), as amended by and as read with the instruments listed in paragraph 2 of Schedule 1.”.

6. In Regulation 4 (Application of Part II) the words—

“(concerning the animal health conditions governing the placing on the market of aquaculture animals and aquaculture products.)” shall be omitted.

7. In Regulation 5 (Exports)—

(a) for sub-paragraph 1(d) there shall be substituted the following—

“(d) if the animal is acquired through or transits an assembly centre, that centre is an approved assembly centre.”

(b) in paragraph (6) the words—

“(laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (1) to Council Directives 90/425/EEC)” shall be omitted.

8. In Regulation 6 (Imports) in sub-paragraphs (4)(a) and (b) and in paragraph (6) there shall be inserted the word “approved” before the words “assembly centre”.

9. In paragraph (1) of Regulation 11 (Duties on consignees) the words “(on the zootechnical and genealogical conditions governing intra-Community trade in equidae)” shall be omitted.

10. For sub-paragraph (2)(a) of Regulation 12 (Assembly centres and slaughterhouses) there shall be substituted—

“(a) in the case of an assembly centre used for cattle or pigs, the centre complies with the requirements of paragraphs (a) to (d) of Article 11(1) of Council Directive 64/432/EEC.”

11. Schedule 2 shall be substituted by Schedule 2 as set out in Schedule 1 to these Regulations.

12. Schedule 4 shall be substituted by Schedule 4 as set out in Schedule 2 to these Regulations.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 10th October 2005



Liam McKibben

A senior officer of the the Department of Agriculture and Rural Development

(a) O.J. No. L224, 18.8.90, p.29
(b) O.J. No. L268, 24.9.91, p.56

SCHEDULE 1

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SCHEDULE 2

Regulations 2(4), 4,
5(1), 6(1),(2),7(5),
8(1), 10, 12(7)(a),
13(3), 22(2)(b) and 26

INTRA-COMMUNITY TRADE: LEGISLATION AND ADDITIONAL REQUIREMENTS

PART I

LEGISLATION ON INTRA-COMMUNITY TRADE

Bovine animals and swine

1. Instrument: Council Directive 64/432/EEC on health problems affecting intra-Community trade in bovine animals and swine as replaced by the Annex to Council Directive 97/12/EC (O.J. No. L109, 25.4.97, p. 1), and as subsequently amended by—

Council Directive 98/46/EC (O.J. No. L198, 15.7.98, p. 22);

Council Directive 98/99/EC (O.J. No. L358, 31.12.98, p. 107);

Commission Decision 98/621/EC (O.J. No. L296, 5.11.98, p. 15);

Directive 2000/15/EC of the European Parliament and of the Council (O.J. No. L105, 3.5.2000, p. 34);

Directive 2000/20/EC of the European Parliament and of the Council (O.J. No. L163, 4.7.2000, p. 35);

Commission Decision 2001/298/EC (O.J. No. L102, 12.4.2001, p. 63);

Commission Regulation (EC) No. 535/2002 (O.J. No. L80, 23.3.2002, p. 22);

Commission Regulation (EC) No. 1226/2002 (O.J. No. L179, 9.7.2002, p. 13);

Council Regulation (EC) No. 21/2004 (O.J. No. L5, 9.1.2004, p. 8);

Commission Decision 2004/226/EC (O.J. No. L68, 6.3.2004, p. 36); and

the European international instruments.

Relevant provisions in that instrument: Articles 3(2), 4(1), 5(1), 5(2), 5(5), 6(1), 6(2), 6(3), 7 (in the case of imports), and 12(3).

Additional requirements:

- (a) The official health certificate accompanying all cattle imported into Northern Ireland from Spain must contain the statement: “Live cattle in accordance with Commission Decision 90/208/EEC on contagious bovine pleuro-pneumonia”.
- (b) The official health certificate accompanying all cattle imported into Northern Ireland from Portugal must contain the statement: “Live cattle in accordance with Commission Decision 91/52/EEC on contagious bovine pleuro-pneumonia”.
- (c) In the event of the prohibition on the export of cattle from Northern Ireland imposed by Commission Decision 98/256/EC on emergency measures to protect against Bovine Spongiform Encephalopathy (O.J. No. L113, 15.4.98, p. 32) (as

amended by Commission Decision 2002/670/EC (O.J. No. L228, 24.8.2002, p. 22) being revoked so as to allow the despatch of cattle from Great Britain to another member State or a third country, such exports to the countries listed in Annexes I and II of Commission Decision 2004/558/EC (O.J. No. L249, 23.7.2004, p.20) must meet the additional conditions laid down in that Decision.

- (d) In accordance with Commission Decision 2003/514/EC concerning health protection measures against African swine fever in Sardinia, Italy (O.J. No. L178, 17.7.2003, p. 28), the importation into Northern Ireland from the Italian region of Sardinia of animals of the suidae family is prohibited.

Bovine semen

2. Instrument: Council Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species (O.J. No. L194, 22.7.88, p. 10), as amended by, and as read with—

Council Directive 90/120/EEC (O.J. No. L71, 17.3.90, p. 37);

Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);

Council Directive 93/60/EEC (O.J. No. L186, 28.7.93, p. 28);

Council Directive 2003/43/EC (O.J. No. L143, 11.6.2003, p. 23);

Commission Decision 2004/205/EC (O.J. No. L65, 3.3.2004, p.23);

Commission Decision 2004/101/EC (O.J. No. L30, 4.2.2004, p. 15); and

the European international instruments.

Relevant provisions in that instrument: Articles 3 and 6.

Bovine embryos

3. Instrument: Council Directive 89/556/EEC on animal health conditions concerning intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (O.J. No. L302, 19.10.89, p. 1), as amended by, and as read with—

Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);

Council Directive 93/52/EEC (O.J. No. L175, 19.7.93, p. 21);

Commission Decision 94/113/EC (O.J. No. L53, 24.2.94, p. 23);

Commission Decision 2004/205/EC (O.J. No. L65, 3.3.2004, p.23); and

the European international instruments.

Relevant provisions in that instrument: Articles 3 and 6.

Equidae

4. Instrument: Council Directive 90/426/EEC on health conditions governing the movement of equidae and their import from third countries (O.J. No. L224, 18.8.90, p. 42), as amended by, and as read with—

Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);

Council Directive 90/427/EEC (O.J. No. L224, 18.8.90, p. 55);

Council Directive 91/496/EEC (O.J. No. L268, 24.9.91, p. 56);

Council Directive 92/36/EEC (O.J. No. L157, 10.6.92, p. 28);

Commission Decision 92/130/EEC (O.J. No. L47, 22.2.92, p. 26);

Commission Decision 93/623/EEC (O.J. No. L298, 3.12.93, p. 45) as amended by Commission Decision 2000/68/EC (O.J. No. L23, 28.1.2000, p. 72);

Commission Decision 2001/298/EC (O.J. No. L102, 12.4.2001, p. 63);

Commission Decision 2002/160/EC (O.J. No. L53, 23.2.2002, p. 37); and

the European international instruments.

Relevant provisions in that instrument, subject to and as read with the following Notes: Articles 4, 5, 7(1) and 8.

Notes:

- (a) The requirements of Articles 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 a registered horse accompanied by an identification document provided for in Council Directive 90/427/EEC.
- (b) The derogation permitted under Article 7(2) shall not apply in relation to equidae brought into Northern Ireland.

Porcine semen

5. Instrument: Council Directive 90/429/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (O.J. No. L224, 18.8.90, p. 62) and Commission Decision 99/608/EC (O.J. No. L242, 14.9.99, p. 20); as amended by, and read with—

Commission Decision 99/608/EC (O.J. No. L242, 14.9.1999, p. 20);

Commission Decision 2000/39/EC (O.J. No. L13, 19.1.2000, p. 21);

Commission Decision 2004/205/EC(O.J. No. L65, 3.3.2004, p.23);

and the European international instruments.

Relevant provisions in that instrument: Articles 3, 4(1), 4(2) and 6(1).

Additional requirements: The official health certification accompanying all porcine semen imported into Northern Ireland 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.

Poultry and hatching eggs

6. Instrument: Council Directive 90/539/EEC on animal health conditions governing intra-Community trade in, and imports from third countries of poultry and hatching eggs (O.J. No. L303, 30.10.90, p. 6), as amended by, and as read with—

Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);

Council Directive 91/496/EEC (O.J. No. L268, 24.9.91, p. 56);

Council Directive 92/65/EEC (O.J. No. L268, 14.9.92, p. 54);

Commission Decision 92/340/EEC (O.J. No. L188, 8.7.92, p. 34);

Commission Decision 92/369/EEC (O.J. No. L195, 14.7.92, p. 25);

Council Directive 93/120/EEC (O.J. No. L340, 31.12.93, p. 35);

Council Directive 95/410/EC (O.J. No. L243, 11.10.95, p. 25) as amended by Council Decision 98/227/EC (O.J. No. L87, 21.3.98, p.14);

Commission Decision 97/278/EC (O.J. No. L110, 26.4.97, p. 77);

Council Directive 99/90/EC (O.J. No. L300, 23.11.99, p. 19);

Commission Decision 2000/505/EC (O.J. No. L201, 9.8.2000, p. 8);

Commission Decision 2001/867/EC (O.J. No. L323, 7.12.2001, p. 29);

Commission Decision 2003/644/EC (O.J. No. L228, 12.9.2003, p. 29);

Commission Decision 2004/235/EC (O.J. No. L72, 11.3.2004, p. 86); and

the European international instruments.

Relevant provisions in that instrument: Articles 6 to 11, 12(1), and 15 to 17.

Additional requirements:

- (a) The official health certification accompanying breeding poultry exported from Northern Ireland to Finland or Sweden must contain the statement that they have been tested for salmonella with negative results in accordance with Commission Decision 2003/644/EC of 8 September 2003.
- (b) The official health certification accompanying day-old chicks exported from Northern Ireland to Finland or Sweden must contain the statement that they come from flocks which have been tested for salmonella with negative results in accordance with Commission Decision 2003/644/EC of 8 September 2003.
- (c) The official health certification accompanying laying hens exported from Northern Ireland to Finland or Sweden must contain the statement that they have been tested for salmonella with negative results in accordance with Commission Decision 2004/235/EC of 11 March 2004.
- (d) The official health certification accompanying poultry for slaughter exported from Northern Ireland to Finland or Sweden must contain the statement that they have undergone microbiological testing with negative results in accordance with Council Decision 95/410/EC of 22 June 1995.

Animal waste

7. Instrument: Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down rules concerning animal by-products not intended for human consumption (O.J. No. L273, 10.10.2002, p. 1); as amended by, and as read with—

Commission Regulation No. 808/2003 (O.J. No. L117, 13.5.03, p. 1);

Commission Regulation No. 811/2003 (O.J. No. L117, 13.5.03, p. 14);

Commission Regulation No. 813/2003 (O.J. No. L117, 13.5.03, p. 22);

Commission Decision 2003/320/EC (O.J. No. L117, 13.5.03, p. 24);

Commission Decision 2003/321/EC (O.J. No. L117, 13.5.03, p. 30);

Commission Decision 2003/326/EC (O.J. No. L117, 13.5.03, p. 42);

Commission Decision 2003/327/EC (O.J. No. L117, 13.5.03, p. 44);

Commission Decision 2003/328/EC (O.J. No. L117, 13.5. 03, p. 46);

Commission Decision 2003/329/EC (O.J. No. L117, 13.5. 03, p. 51);

Commission Regulation No. 780/2004 (O.J. No. L123, 27.4. 04, p. 64); and

the European international instruments.

Relevant provision in that instrument: Article 8.

Fish

Farmed fish

8. Instrument: Council Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products (O.J. No. L46, 19.2.91, p. 1), as amended by, and as read with—

Commission Decision 94/864/EC (O.J. No. L352, 31.12.94, p. 74);

Commission Decision 97/804/EC (O.J. No. L329, 29.11.97, p. 70);

Council Directive 97/79/EC (O.J. No. L24, 30.1.98, p. 31);

Commission Decision 98/24/EC (O.J. No. L8, 14.1.98, p. 26);

Council Directive 98/45/EC (O.J. No. L189, 3.7.98, p. 12);

Commission Decision 99/567/EC (O.J. No. L216, 14.8.99, p. 13);

Commission Decision 2001/159/EC (O.J. No. L57, 27.2.01, p. 54);

Commission Decision 2001/183/EC (O.J. No. L67 9.3.2001 p. 65);

Commission Decision 2002/300/EC (O.J. No. L103, 19.4.02, p. 24) (as amended by Commission Decision 2003/378/EC (O.J. No. L130, 27.5.03, p. 27));

Commission Decision 2002/308/EC (O.J. No. L106, 23.4.02, p. 28) (as amended by Commission Decision 2004/850/EC (O.J. No. L368, 15.12.2004, p. 28);

Commission Decision 2003/390/EC (O.J. No. L135, 3.6.03, p.19);

Commission Decision 2003/466/EC (O.J. No. L156, 25.6.2003, p. 61);

Commission Decision 2003/634/EC (O.J. No. L220, 3.9.2003, p. 8) (as amended by Commission Decision 2003/904/EC (O.J. No. L340, 24.12.2003, p. 69); and Commission Decision 2004/328/EC (O.J. L104, 8.4.2004, p. 129));

Commission Decision 2004/453/EC (O.J. No. L156, 30.4.2004, p. 5); and

the European international instruments.

Relevant provisions in that instrument: The following provisions in so far as they apply to live fish, eggs and gametes: Articles 3, 4, 7 to 11, 14 and 16.

Fish other than farmed fish

9. Instrument: Council Directive 91/493/EEC laying down the health conditions for the production and placing on the market of fishery products (O.J. No. L268, 24.9.91, p. 15), as amended by, and as read with—

Council Directive 92/48/EEC (O.J. No. L187, 7.7.92, p. 41), laying down the minimum hygiene rules applicable to fishery products caught on board certain vessels in accordance with Article 3(1) (a)(I) of Council Directive 91/493/EEC;

Council Directive 95/71/EC (O.J. No. L332, 30.12.95, p. 40);

Council Directive 97/79/EC (O.J. No. L24, 30.1.98, p. 310); and

the European international instruments.

Relevant provisions in that article: Article 4.

Live Bivalve molluscs

10. Instrument: Council Directive 91/492/EEC laying down the health conditions for the production and placing on the market of live shellfish (O.J. No. L268, 24.9.91, p. 1), as amended by, and as read with—

Council Directive 97/61/EC (O.J. No. L295, 29.10.97, p. 35). and
the European international instruments.

Relevant provisions in that instrument: Articles 3(1) a-i, 3(2), 4, 7, 8 and 9.

Ovine and caprine animals

11. Instrument: Council Directive 91/68/EEC on animal health conditions governing intra-Community trade in ovine and caprine animals (O.J. No. L46, 19.2.91, p. 19) as amended by, and as read with—

Council Directive 90/425/EC (O.J. No. L224, 18.8.90, p. 29);

Council Directive 92/102/EEC (O.J. No. L355, 5.12.92, p. 32) as amended by Council Regulation (EC) No. 21/2004 (O.J. No. L5, 9.1.2004, p. 8);

Commission Decision 93/52/EEC (O.J. No. L13, 21.1.93, p. 14), as amended by Commission Decisions 2001/292/EC (O.J. No. L100, 11.4.2001, p. 28), 2002/482/EC (O.J. No. L166, 25.6.2002, p. 23), 2003/44/EC (O.J. No. L13, 18.1.2003, p. 23), 2003/237/EC (O.J. No. L 87, 4.4.2003, p. 13), 2003/732/EC (O.J. No. L264, 15.10.2003, p.30), 2004/199/EC (O.J. No. L64, 2.3.2004, p. 41) and 2004/320/EC (O.J. No. L102, 7.4.2004, p. 75);

Commission Decision 94/164/EEC (O.J. No. L74, 17.3.94, p. 42);

Commission Decision 94/953/EEC (O.J. No. L371, 31.12.94, p. 14);

Commission Decision 2001/298/EC (O.J. No. L102, 12.4.2001, p. 63);

Directive 2001/10/EC of the European Parliament and of the Council (O.J. No. L147, 31.5.2001, p. 41);

Commission Decision 2002/261/EC (O.J. No. L91, 6.4.2002, p. 31);

Council Directive 2003/50/EC (O.J. No. L169, 8.7.2003, p. 51);

Commission Decision 2003/708/EC (O.J. No. L258, 10.10.2003, p. 11);

Commission Decision 2004/554/EC (O.J. No. L248, 9.7.2004, p. 1); and

the European international instruments.

Relevant provisions in that instrument: Articles 3, 4, 4a, 4b, 4c, 5, 6 and 9.

Additional requirements:

- (a) Only uncastrated rams for breeding which have been tested for contagious epididymitis (*Brucella ovis*) in accordance with Article 6(c) or Council Directive 91/68/EEC may be imported into Northern Ireland.
- (b) The official health certification accompanying all sheep and goats for fattening and breeding imported into Northern Ireland 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.

Other animals, semen, ova and embryos

12. Instrument: Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of Animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to

in Council Directive 90/425/EEC (O.J. No. L268, 14.9.92, p. 54), as amended by, and as read with—

Commission Decision 95/176/EC (O.J. No. L117, 24.5.95, p. 23);

Commission Decision 95/294/EC (O.J. No. L182, 2.8.95, p. 27);

Commission Decision 95/307/EC (O.J. No. L185, 4.8.95, p. 58);

Commission Decision 95/388/EC (O.J. No. L234, 3.10.95, p. 30), as amended by Commission Decision 2005/43/EC (O.J. No. L20, 22.1.2005, p. 34) ;

Commission Decision 95/483/EC (O.J. No. L275, 18.11.95, p. 30);

Commission Decision 2001/298/EC (O.J. No. L102, 12.4.2001, p. 63);

Commission Regulation (EC) No. 1282/2002 (O.J. No. L187, 16.7.2002, p. 3);

Council Regulation (EC) No. 1802/2002 (O.J. No. L274, 11.10.2002, p. 21);

Regulation (EC) No. 998/2003 (O.J. No. L146, 13.6.2003, p. 1), as amended by Council Decision 2004/650/EC (O.J. No. L298, 23.9.2004, p. 22);

Council Regulation (EC) No. 1398/2003 (O.J. No. L198, 6.8.2003, p. 3);

Commission Regulation (EC) No. 592/2004 (O.J. No. L94, 31.3.2004, p. 7);

Council Directive 2004/68/EC (O.J. No. L226, 25.6.2004, p. 128);

Commission Decision 2004/205/EC (O.J. No. L65, 3.3.2004, p. 23); and

the European international instruments.

Relevant provisions in that instrument: Articles 3 to 9, 10(1) to 10(3) and 11 to 13.

Note

By way of derogation from the requirements of Article 5(1), the Department may authorise in writing the purchase by a body, institute or centre approved under regulation 9 of these Regulations of apes belonging to an individual.

Additional requirements:

- (a) The importation into Northern Ireland of lagomorphs which cannot be shown to have been born on the holding of origin and kept in captivity since birth is prohibited except in accordance with the provisions of the Rabies (Importation of Dogs, Cats and Other Mammals) Order (Northern Ireland) 1977. Lagomorphs born on the holding of origin and kept in captivity since birth must be accompanied on importation by an official health certificate confirming that status and that the holding of origin has been free from rabies for at least one month.
- (b) Animals (other than carnivores, primates, bats and lagomorphs) born on the holding of origin and kept in captivity since birth must be accompanied on importation by a certificate completed by the exporter confirming that status and that the animals do not show any obvious signs of disease at the time of export, and that the premises of origin are not subject to any animal health restrictions.

Pathogens

13. Instrument: Council Directive 92/118/EEC laying down animal and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC (O.J. No. L62, 15.3.93, p. 49) as amended by, and as read with—

Council Directive 2002/33/EC (O.J. No. L315, 19.11.2002, p. 14);

Commission Decision 2003/721/EC (O.J. No. L260, 11.10.2003, p. 21);
Commission Regulation (EC) No. 445/2004 (O.J. No. L72, 11.3.2004, p. 60); and
the European international instruments.

Relevant provisions in that instrument: Articles 6 and 7(1).

Pure-bred animals of the bovine species

14. Instrument: Council Directive 77/504/EEC on pure-bred breeding animals of the bovine species (O.J. No. L206, 12.8.1977, p. 8), as amended by, and as read with—

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

Council Directive 79/268/EEC (O.J. No. L62, 13.3.79, p. 5);

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

Council Directive 85/586/EEC (O.J. No. L372, 31.12.85, p. 44);

Commission Decision 86/404/EEC (O.J. No. L233, 20.8.86, p. 19);

Commission Decision 88/124/EEC (O.J. No. L62, 8.3.88, p. 32);

Council Directive 91/174/EEC (O.J. No. L85, 5.4.91, p. 37);

Council Directive 94/28/EC (O.J. No. L178, 12.7.94, p. 66);

Commission Decision 96/80/EC (O.J. No. L19, 25.1.96, p. 50);

Commission Decision 96/510/EC (O.J. No. L210, 20.8.96, p. 53) (as amended by Commission Decision 2004/186/EC (O.J. No. L57, 25.2.2004, p. 27));

Commission Decision 2002/8/EC (O.J. No. L3, 5.1.2002, p. 53); and

the European international instruments.

Relevant provisions in that instrument: Articles 5 and 7.

Breeding animals of the porcine species

15. Instrument: Council Directive 88/661/EEC on the zootechnical standards applicable to breeding animals of the porcine species (O.J. No. L382, 31.12.88, p. 36), as amended by, and as read with—

Commission Decision 89/503/EEC (O.J. No. L247, 23.8.89, p. 22);

Commission Decision 89/506/EEC (O.J. No. L247, 23.8.89, p. 34);

Council Directive 94/28/EC (O.J. No. L178, 12.7.94, p. 66);

Commission Decision 96/510/EC (O.J. No. L210, 20.08.96, p. 53) (as amended by Commission Decision 2004/186/EC (O.J. No. L57, 25.2.2004, p. 27)); and

the European international instruments.

Relevant provisions in that instrument: Articles 2(2), 5, 7(2) and 9.

Pure-bred breeding sheep and goats

16. Instrument: Council Directive 89/361/EEC concerning pure-bred breeding sheep and goats (O.J. No. L153, 6.6.89, p. 30), as amended by, and as read with—

Commission Decision 90/258/EEC (O.J. No. L145, 8.6.90, p. 39);

Council Directive 94/28/EC (O.J. No. L178, 12.7.94, p. 66);

Commission Decision 96/510/EC (O.J. No. L210, 20.08.96, p. 53);
Commission Decision 2004/186/EC (O.J. No. L57, 25.2.2004, p. 27); and
the European international instruments.

Relevant provisions in that instrument: Articles 3(2) and 6.

Registered Equidae

17. Instrument: Council Directive 90/427/EEC on the zootechnical and genealogical conditions governing intra-Community trade in equidae (O.J. No. L224, 18.8.90, p. 55), as amended by, and as read with—

Council Directive 90/426/EEC (O.J. No. L224, 18.8.90, p. 42);

Commission Decision 92/353/EEC (O.J. No. L192, 11.7.92, p. 63);

Commission Decision 92/354/EEC (O.J. No. L192, 11.7.92, p. 66);

Commission Decision 93/623/EEC (O.J. No. L298, 3.12.93, p. 45) (as amended by Decision 2000/68/EC (O.J. No. L23, 28.1.2000, p. 72));

Council Directive 94/28/EC (O.J. No. L178, 12.7.94, p. 66);

Commission Decision 96/78/EC (O.J. No. L19, 25.1.96, p. 39);

Commission Decision 96/510/EC (O.J. No. L210, 20.08.96, p. 53);

Commission Decision 2004/186/EC (O.J. No. L57, 25.2.2004, p. 27);

and the European international instruments.

Relevant provisions in that instrument: Articles 6 and 8.

PART II

ADDITIONAL REQUIREMENTS FOR THE TRANSPORT OF CATTLE, PIGS, SHEEP AND GOATS

1. Any person transporting cattle, pigs, sheep or goats in intra-Community trade shall do so in accordance with this Part.

2. He shall, for each vehicle used for the transport of those animals, keep a register containing the following information, and shall preserve the register for at least three years, that is to say—

- (a) places and dates of pick-up, and the name or business name and address of the holding or assembly centre where the animals are picked up;
- (b) places and dates of delivery, and the name or business name and address of the consignee;
- (c) species and number of animals carried;
- (d) date and place of disinfection;
- (e) the unique identifying number of accompanying health certificates.

3. He shall ensure that the means of transport is constructed in such a way that the animal faeces, litter or feed cannot leak or fall out of the vehicle.

4. He shall ensure that all cleansing and disinfection of the vehicle is either—

- (a) carried out at facilities approved for the purpose by the Department under this paragraph (which must include facilities for storing litter and faeces); or

- (b) carried out by a third party, in which case he shall provide to the Department on request documentary evidence that this has been done.

5. He shall give a written undertaking to the Department stating that—

- (a) all measures have been taken to ensure compliance with—
 - (i) in the case of cattle or pigs, Council Directive 64/432/EEC(a), and in particular the provisions laid down in Article 12 of that Directive and the provisions of that Directive relating to the appropriate documentation that must accompany the animals; and
 - (ii) in the case of sheep or goats, Council Directive 91/68/EEC(b), and in particular the provisions laid down in Article 8c of that Directive and the provisions of that Directive relating to the appropriate documentation that must accompany the animals; and
- (b) the transport of animals shall be entrusted to staff who possess the necessary ability, professional competence and knowledge.

PART III

ADDITIONAL REQUIREMENTS FOR DEALERS IN CATTLE, PIGS, SHEEP AND GOATS

1. Every dealer in cattle, pigs, sheep or goats engaging in intra-Community trade shall comply with the provisions of this Part.

2.—(1) The dealer shall:

- (a) be approved by the Department under this paragraph; and
- (b) be registered with, and have a registration number issued, by the Department.

(2) The Department shall only issue an approval under this paragraph if satisfied that the dealer will comply with the provisions of this Part and, in the case of a dealer in sheep or goats, that the dealer has agreed to comply with the requirements for the operation of his premises which an inspector has specified in an operational agreement as being the requirements the inspector believes are necessary to ensure the premises are capable of being operated in accordance with the second indent of Article 3(2) of Council Directive 90/425/EEC.

3. The dealer shall ensure that he only imports or exports animals that are identified and meet the requirements of Community law for intra-Community trade and, in the case of cattle, come from herds that are officially free of tuberculosis, brucellosis and leucosis, or are slaughter animals meeting the requirements of Article 6(3), or, if slaughter animals under a disease control programme, the requirements of Article 13(1)(a), of Council Directive 64/432/EEC.

4. The dealer shall keep a record for all cattle, pigs, sheep and goats which he imports or exports, either on the basis of identification numbers or marks on the animals, and preserve the record for at least three years, of—

- (a) the name and address of the seller;
- (b) the origin of the animals;
- (c) the date of purchase;
- (d) the categories, number and identification (or registration number of the holding of origin) of cattle, sheep and goats;
- (e) the registration number of the holding of origin or the herd of origin of pigs;

(a) O.J. No. L109, 25.4.97, p.1, as amended by and as read with the provisions listed in paragraph 1 of Part I of Schedule 2
(b) O.J. No. L46, 19.2.91, p.19, as amended by and as read with the provisions listed in paragraph 9 of Part I of Schedule 2

- (f) the approval or registration number of the assembly centre through which he has acquired sheep or goats (where applicable);
- (g) the registration number of the transporter or the licence number of the lorry delivering and collecting animals;
- (h) the name and address of the buyer and the destination of the animals; and
- (i) copies of route plans and numbers of health certificates.

5. In the case of a dealer who keeps cattle, pigs, sheep or goats on his premises he shall ensure that—

- (a) specific training in the care and welfare of animals is given to the staff in charge of the animals; and
- (b) all necessary steps are taken to prevent the spread of disease.

6.—(1) The dealer shall only use premises approved for the purpose by the Department under this paragraph and which, in the case of a dealer in sheep and goats, are specified in an operational agreement.

(2) The Department shall issue an approval number for premises approved under this paragraph.

(3) The Department shall only issue an approval under this paragraph if satisfied that the premises comply with Article 13(2) of Council Directive 64/432/EEC or, in the case of a dealer in sheep and goats, Article 8b(2) of Council Directive 91/68/EEC.”

SCHEDULE 2

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SCHEDULE 4

Regulations 2(4),
15(5), 19 and 26

Community Legislation on Third Countries

PART I

INSTRUMENTS SPECIFYING THIRD COUNTRIES AND TERRITORIES IN THIRD COUNTRIES FROM WHICH MEMBER STATES MAY AUTHORISE CERTAIN IMPORTS

1. Council Decision 79/542/EEC drawing up a list of third countries or parts of third countries, and laying down animal and public health and veterinary certification conditions, for importation into the Community of certain live animals and their fresh meat (O.J. No. L146, 14.6.79, p. 15), member States as amended by, and as read with—

Commission Decision 2004/212/EC (O.J. No. L73, 11.3.2004, p. 11);

Commission Decision 2004/410/EC (O.J. No. L151, 30.4.2004, p. 31) and

Commission Decision 2004/620/EC (O.J. No. L279, 28.8.2004, p. 30).

2. Commission Decision 95/233/EC drawing up lists of third countries from which member States authorise imports of live poultry and hatching eggs (O.J. No. L156, 7.7.95, p. 76), as amended by, and as read with—

Commission Decision 96/628/EC (O.J. No. L282, 1.11.96, p. 73);

Commission Decision 96/659/EC (O.J. No. L302, 26.11.96, p. 27);

Commission Decision 97/183/EC (O.J. No. L76, 18.3.97, p. 32);
Commission Decision 2001/732/EC (O.J. No. L 275, 18.10.2001, p. 14);
Commission Decision 2001/751/EC (O.J. No. L 281, 25.10.2001, p. 24);
Commission Decision 2002/183/EC (O.J. No. L 61, 2.3.2002, p. 56); and
Commission Decision 2004/118/EC (O.J. No. L36, 7.2.2004, p. 34).

3. Commission Decision 2003/804/EC laying down the animal health conditions and certification requirements for imports of molluscs, their eggs and gametes for further growth, fattening, relaying or human consumption (O.J. No. L302, 21.11.2003, p. 22), as amended by, and as read with—

Commission Decision 2004/609/EC (O.J. No. L274, 24.8.2004, p. 17); and
Commission Decision 2004/623/EC (O.J. No. L280, 31.8.2004, p. 26).

4. Commission Decision 2003/858/EC laying down the animal health conditions certification requirements for imports of live fish, their eggs and gametes intended for farming, and live fish of aquaculture origin and products thereof intended for human consumption (O.J. L324, 11.12.2003, p. 37), as amended by, and as read with—

Commission Decision 2004/454/EC (O.J. No. L156, 30.4.2004, p. 29).

5. Commission Decision 2003/881/EC (O.J. No. L328, 17.12.2003, p. 26), as amended by— Commission Decision 2005/60/EC (O.J. No. L25, 28.1.2005, p. 64).

6. Commission Decision 2004/211/EC establishing the list of third countries and parts of territory thereof from which member States authorise imports of living equidae and semen, ova and embryos of the equine species (O.J. No. L73, 11.3.2004, p. 1).

PART II

DETAILED PROVISIONS

Bovine, ovine and caprine animals and swine from third countries

1. Instrument: Council Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine and fresh meat or meat products from third countries (O.J. No. L302, 31.12.72, p. 28), as amended by and as read with—

Council Directive 90/423/EEC (O.J. No. L224, 18.8.90, p. 13);
Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);
Council Directive 91/69/EEC (O.J. No. L46, 19.2.91, p. 37);
Council Directive 91/496/EEC (O.J. No. L268, 24.9.91, p. 56);
Council Directive 91/688/EEC (O.J. No. L377, 31.12.91, p. 18);
Council Directive 96/91/EC (O.J. No. L13, 16.1.97, p.26);
Council Directive 97/79/EC (O.J. No. L24, 30.1.98, p 31); and
the European international instruments.

Relevant provisions in that instrument: Articles 6, 10, 11, 13, 29 and 30.

Cloven-hoofed animals and elephants from third countries

2. Instrument: Council Decision 79/542/EEC drawing up a list of third countries or parts of third countries, and laying down animal and public health and veterinary certification conditions, for importation into the Community of certain live animals and their fresh meat (O.J. No. L146, 14.6.79, p. 15), as amended by, and as read with—

Commission Decision 2004/212/EC (O.J. No. L73, 11.3.2004, p. 11);

Commission Decision 2004/410/EC (O.J. No. L151, 30.4.2004, p. 31);

Commission Decision 2004/554/EC (O.J. No. L248, 9.7.2004, p. 1); and

Commission Decision 2004/620/EC (O.J. No. L279, 28.8.2004, p. 30).

Relevant provisions in that instrument: Articles 3, 4, 5, 6 and 7.

Equidae

General

3. Instrument: Council Directive 90/426/EEC on health conditions governing the movement of equidae and their import from third countries (O.J. No. L224, 18.8.90, p. 42), as amended by, and as read with—

Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);

Council Directive 91/496/EEC (O.J. No. L268, 24.9.91, p. 56);

Council Directive 92/36/EEC (O.J. No. L157, 10.6.92, p. 28);

Commission Decision 92/130/EEC (O.J. No. L47, 22.2.92, p. 26);

Commission Decision 95/329/EC (O.J. No. L191, 12.8.95, p. 36);

Commission Decision 96/81/EC (O.J. No. L19, 25.1.96, p. 53);

Commission Decision 2002/160/EC (O.J. No. L53, 23.3.2002, p. 37);

Council Directive 2004/68/EC (O.J. No. L226, 25.6.2004, p. 128); and

the European international instruments.

Relevant provisions in that instrument: Articles 11, 12(1), 13 to 16 and 18.

4. Instrument: Commission Decision 2004/211/EC establishing the list of third countries and parts of territory thereof from which member States authorise imports of live equidae and semen, ova and embryos of the equine species (O.J. No. L73, 11.3.2004, p. 1).

Relevant provision in that instrument: Article 6.

Temporary admission of registered horses

5. Instrument: Commission Decision 92/260/EEC (O.J. No. L130, 15.5.92, p. 67) as amended by, and read with—

Commission Decision 93/344/EEC (O.J. No. L138, 9.6.93, p. 11);

Commission Decision 94/453/EC (O.J. No. L187, 22.7.94, p. 11);

Commission Decision 94/561/EC (O.J. No. L214, 19.8.94, p. 17);

Commission Decision 95/322/EC (O.J. No. L190, 11.8.95, p. 9);

Commission Decision 95/323/EC (O.J. No. L190, 11.8.95, p. 11);

Commission Decision 96/81/EC (O.J. No. L19, 25.1.96, p. 53);

Commission Decision 96/279/EC (O.J. No. L107, 30.4.96, p. 1);
Commission Decision 97/10/EC (O.J. No. L3, 7.1.97, p. 9) as amended by Decision 2001/622/EC (O.J. No. L216, 10.8.2001, p. 26);
Commission Decision 98/360/EC (O.J. No. L163, 6.6.98, p. 44);
Commission Decision 98/594/EC (O.J. No. L286, 23.10.98, p. 53);
Commission Decision 99/228/EC (O.J. No. L83, 27.3.99, p. 77);
Commission Decision 99/613/EC (O.J. No. L24, 15.9.99, p. 12);
Commission Decision 2000/209/EC (O.J. No. L64, 11.3.2000, p. 22);
Commission Decision 2001/117/EC (O.J. No. L43, 14.2.2001, p. 38);
Commission Decision 2001/611/EC (O.J. No. L214, 8.8.2001, p. 49);
Commission Decision 2001/619/EC (O.J. No. L215, 9.8.2001, p. 55);
Commission Decision 2001/828/EC (O.J. No. L308, 27.11.2001, p. 41);
Commission Decision 2002/635/EC (O.J. No. L206, 3.8.2002, p. 20);
Commission Decision 2002/636/EC (O.J. No. L206, 3.8.2002, p. 27);
Commission Decision 2003/13/EC (O.J. No. L7, 11.1.2003, p. 86);
Commission Decision 2003/541/EC (O.J. No. L185, 24. 7.2003, p. 41);
Commission Decision 2004/117/EC(O.J. No. L36, 7.2.2004, p.20);
Commission Decision 2004/177/EC (O.J. No. L55, 24.2.2004, p. 64);
Commission Decision 2004/241/EC (O.J. No. L74, 12.03.2004, p. 19); and
the European international instruments.

Relevant provision in that instrument: Article 1.

Registered horses for racing, etc, upon re-entry

6. Instrument: Commission Decision 93/195/EEC on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export (O.J. No. L86, 6.4.93, p. 1), as amended by, and as read with—

Commission Decision 94/453/EC (O.J. No. L187, 22.7.94, p. 11);
Commission Decision 94/561/EC (O.J. No. L214, 19.8.94, p. 17);
Commission Decision 95/99/EC (O.J. No. L76, 5.4.95, p. 16);
Commission Decision 95/322/EC (O.J. No. L190, 11.8.95, p. 9);
Commission Decision 95/323/EC (O.J. No. L190, 11.8.95, p. 11);
Commission Decision 96/279/EC (O.J. No. L107, 30.4.96, p. 1);
Commission Decision 97/684/EC (O.J. No. L287, 21.10.97, p. 49);
Commission Decision 98/360/EC (O.J. No. L163, 6.6.98, p. 44);
Commission Decision 98/567/EC (O.J. No. L276, 13.10.98, p. 11);
Commission Decision 98/594/EC (O.J. No. L286, 23.10.98, p. 53);

Commission Decision 99/228/EC (O.J. No. L83, 27.3.99, p. 77);
Commission Decision 99/558/EC (O.J. No. L211, 11.8.99, p. 53);
Commission Decision 2000/209/EC (O.J. No. L64, 11.3.2000, p. 64);
Commission Decision 2000/754/EC (O.J. No. L303, 12.12.2000, p. 34);
Commission Decision 2001/117/EC (O.J. No. L43, 14.2.2001, p. 38);
Commission Decision 2001/144/EC (O.J. No. L53, 23.2.2001, p. 23);
Commission Decision 2001/610/EC (O.J. No. L43, 8.8.2001, p. 45);
Commission Decision 2001/611/EC (O.J. No. L214, 8.8.2001, p. 49);
Commission Decision 2004/211/EC (O.J. No. L73, 11.3.2004, p. 1); and
the European international instruments.

Relevant provision in that instrument: Article 1.

Equidae for slaughter

7. Instrument: Commission Decision 93/196/EEC on animal health conditions and veterinary certification for imports of equidae for slaughter (O.J. No. L86, 6.4.93, p. 7), as amended by, and as read with—

Commission Decision 94/453/EC (O.J. No. L187, 22.7.94, p.11);
Commission Decision 95/322/EC (O.J. No. L190, 11.8.95, p. 9);
Commission Decision 96/81/EC (O.J. No. L19, 25.1.96, p. 53);
Commission Decision 96/82/EC (O.J. No. L19, 25.1.96, p. 56);
Commission Decision 96/279/EC (O.J. No. L107, 30.4.96, p. 1);
Commission Decision 97/36/EC (O.J. No. L14, 17.1.97, p. 57);
Commission Decision 98/360/EC (O.J. No. L163, 6.6.98, p. 44);
Commission Decision 99/228/EC (O.J. No. L83, 27.3.99, p. 77);
Commission Decision 2001/117/EC (O.J. No. L43, 14.2.01, p. 38);
Commission Decision 2001/611/EC (O.J. No. L214, 8.8.01, p. 49); and
the European international instruments.

Relevant provision in that instrument: Article 1.

Registered equidae for breeding and production

8. Instrument: Commission Decision 93/197/EEC on animal health conditions and veterinary certification on imports of registered equidae and equidae for breeding and production (O.J. No. L86, 6.4.93, p. 16), as amended by, and as read with—

Commission Decision 93/510/EEC (O.J. No. L238, 23.9.93, p. 45);
Commission Decision 93/682/EEC (O.J. No. L317, 18.12.93, p. 82);
Commission Decision 94/453/EC (O.J. No. L187, 22.7.94, p. 11);
Commission Decision 94/561/EC (O.J. No. L214, 19.8.94, p. 17);
Commission Decision 95/322/EC (O.J. No. L190, 11.8.95, p. 9);

Commission Decision 95/323/EC (O.J. No. L190, 11.8.95, p. 11);
Commission Decision 95/536/EC (O.J. No. L304, 16.12.95, p. 49);
Commission Decision 96/81/EC (O.J. No. L19, 25.1.96, p. 53);
Commission Decision 96/82/EC (O.J. No. L19, 25.1.96, p. 56);
Commission Decision 96/279/EC (O.J. No. L107, 30.4.96, p. 1);
Commission Decision 97/10/EC (O.J. No. L3, 7.1.97, p. 9), as amended by Commission Decision 2004/117/EC (O.J. No. L036, 7.2.2004, p. 20);
Commission Decision 97/36/EC (O.J. No. L14, 17.1.97, p. 57);
Commission Decision 98/360/EC (O.J. No. L163, 6.6.98, p. 44);
Commission Decision 98/594/EC (O.J. No. L286, 23.10.98, p. 53);
Commission Decision 99/228/EC (O.J. No. L83, 27.3.99, p. 77);
Commission Decision 99/236/EC (O.J. No. L87, 31.3.99, p. 13);
Commission Decision 99/252/EC (O.J. No. L96, 10.4.99, p. 31);
Commission Decision 99/613/EC (O.J. No. L243, 15.9.99, p. 12);
Commission Decision 2000/209/EC (O.J. No. L64, 11.3.2000, p. 64);
Commission Decision 2001/117/EC (O.J. No. L43, 14.2.2001, p. 38);
Commission Decision 2001/611/EC (O.J. No. L214, 8.8.2001, p. 49);
Commission Decision 2001/619/EC (O.J. No. L215, 9.8.2001, p. 55);
Commission Decision 2001/754/EC (O.J. No. L282, 26.10.2001, p. 34);
Commission Decision 2001/766/EC (O.J. No. L288, 1.11.2001, p. 50);
Commission Decision 2001/828/EC (O.J. No. L308, 27.11.2001, p. 41);
Commission Decision 2002/635/EC (O.J. No. L206, 3.8.2002, p. 20);
Commission Decision 2002/841/EC (O.J. No. L206, 25.10.2002, p. 42);
Commission Decision 2003/541/EC (O.J. No. L185, 24.07.2003, p. 41);
Commission Decision 2004/117/EC(O.J. No. L36, 7.2.2004, p.20);
Commission Decision 2004/177/EC (O.J. No. L55, 24.2.2004, p. 64);
Commission Decision 2004/241/EC (O.J. No. L74, 12.3.2004, p. 19); and
the European international instruments.

Relevant provision in that instrument: Article 1.

Additional requirements:

- (a) All pre-export tests of registered horses from Kyrgyzstan and registered equidae and equidae for breeding and production imported from Belarus, Bulgaria, Croatia, ex-Yugoslavia Republic of Macedonia, Romania, Russian Federation and the Ukraine must be carried out as follows: for vesicular stomatitis at the Institute of Animal Health, Pirbright, the National Veterinary Institute, Czech Republic or at the Central Veterinary Laboratory, Budapest, Hungary; the mandatory tests for infectious anaemia, dourine and glanders and, if necessary, the test for equine viral arteritis at the Veterinary Laboratories Agency, Weybridge, the National

Veterinary Institute, Czech Republic, or the Central Veterinary Laboratory, Budapest, Hungary;

- (b) The test results must be attached to the health certificate accompanying the imported equidae.

Poultry

9. Instrument: Council Directive 90/539/EEC on animal health conditions governing intra-Community trade in, and imports from third countries of poultry and hatching eggs (O.J. No. L303, 30.10.90, p. 6) as amended by, and as read with—

Council Directive 91/494/EEC (O.J. No. L268, 24.9.91, p. 35);

Council Directive 91/496/EEC (O.J. No. L268, 24.9.91, p. 56);

Council Directive 92/65/EEC (O.J. No. L268, 14.9.92, p. 54);

Commission Decision 92/369/EEC (O.J. No. L195, 14.7.92, p. 25);

Council Directive 93/120/EEC (O.J. No. L340, 31.12.93, p. 35);

Commission Decision 96/482/EC (O.J. No. L196, 7.8.96, p. 13);

Commission Decision 96/628/EC (O.J. No. L282, 1.11.93, p. 73);

Council Directive 99/89/EC (O.J. No. L300, 23.11.99 p. 17);

Council Directive 99/90/EC (O.J. No. L300, 23.11.99, p. 19);

Commission Decision 2000/505/EC (O.J. No. L201, 9.8.2000, p. 8);

Commission Decision 2002/183/EC (O.J. No. L61, 2.3.2002, p. 56);

Commission Decision 2002/542/EC (O.J. No. L176, 5.7.2002, p. 43);

Commission Decision 2004/118/EC (O.J. No. L36, 7.2.2004, p. 34); and

the European international instruments.

Relevant provisions in that instrument: Articles 20, 21(1), 22(1), 23, 24, 27(2) and 28.

Other specified animals, semen, ova and embryos

10. Instrument: Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Council Directive 90/425/EEC (O.J. No. L268, 14.9.92, p. 54), as amended by, and as read with—

Commission Decision 95/176/EC (O.J. No. L117, 24.5.95, p. 23);

Commission Decision 2001/298/EC (O.J. No. L102, 12.4.2001, p. 63);

Commission Regulation (EC) No 1282/2002 (O.J. No. L187, 16.7.2002, p. 3);

Council Regulation (EC) No. 1802/2002 (O.J. No. L274, 11.10.2002, p. 21);

Council Regulation (EC) No 998/2003 (O.J. No. L146, 13.6.2003, p. 1);

Council Regulation (EC) No. 1398/2003 (O.J. No. L198, 6.8.2003, p. 3);

Commission Decision 2003/881/EC (O.J. No. L328, 17.12.2003, p. 26);

Council Directive 2004/68/EC (O.J. No. L226, 25.6.2004, p. 128);

Commission Regulation (EC) No. 592/2004 (O.J. No. L94, 31.3.2004, p. 7);

Commission Decision 2004/595/EC (O.J. No. L266, 13.8.2004, p. 11);

Council Decision 2004/650/EC (O.J. No. L298, 23.9.2004, p. 22); and

the European international instruments and Joint Committee Decision 69/96 of 17 July 1998 amending Annex 1 (Veterinary and Phytosanitary matters) to the Agreement on the European Economic Area (O.J. No. L158, 24.6.99, p. 1).

Relevant provisions in that instrument: Articles 17(1), 17(2) and 18.

Live animals from New Zealand

11. Instrument: Commission Decision 2003/56/EC on health certificates relating to live animals, their semen, ova and embryos imported from New Zealand (O.J. No. L22, 25.1.03, p. 38) as amended by—

Commission Decision 2003/385/EC (O.J. No. L133, 29.5.2003, p. 87); and

Commission Decision 2003/669/EC (O.J. No. L237, 24.9.2003, p. 7);

Relevant provisions in that instrument: Articles 1, 2 and 3.

Zootechnical conditions

12. Instrument: Council Directive 94/28/EC laying down the principles relating to the zootechnical and genealogical conditions applicable to imports from third countries of animals, their semen, ova and embryos, and amending Directive 77/504/EEC on pure-bred breeding animals of the bovine species (O.J. No. L178, 12.7.94, p. 66), as read with—

Commission Decision 96/509/EC (O.J. No. L210, 20.8.96, p. 47); and

Commission Decision 96/510/EC (O.J. No. L210, 20.8.96, p. 53) as amended by Commission Decision 2004/186/EC (O.J. No. L57, 25.2.2004, p. 27).

Relevant provisions in that instrument: Article 4.

Finfish and Shellfish from third countries

13. Instrument: Commission Decision 2003/804/EC laying down the animal health conditions and certification requirements for imports of molluscs, their eggs and gametes for further growth, fattening, relaying or human consumption (O.J. No. L302, 21.11.2003, p.22), as amended by, and as read with—

Commission Decision 2004/609/EC (O.J. No. L274, 24.8.2004, p. 17); and

Commission Decision 2004/623/EC (O.J. No. L280, 31.8.2004, p. 26).

Relevant provision in that instrument: Articles 3, 4, 5, 6, 7 and 8.

14. Instrument: Commission Decision 2003/858/EC laying down the specific animal health conditions and certification requirements for imports of live fish, their eggs, and gametes intended for farming, and live fish of aquaculture origin and products thereof intended for human consumption (O.J. L324, 11.12.2003, p.37.) as amended by, and as read with—

Commission Decision 2004/454/EC (O.J. No. L156, 30.4.2004, p.29); and

Commission Decision 2004/914/EC(O.J. No. L385, 29.12.2004, p. 60).

Relevant provisions in that instrument: Articles 3, 4, 5, 6, 7, 8 and 9.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2005 S.R. 2005 No. 78).

Regulation 7 specifies the compliance required under Community law for assembly centres handling sheep and goats which are permitted to be exported to other Member States under these Regulations.

Schedules 2 and 4 have been revised and updated in order to bring the implementation of Community instruments as up-to-date as possible at the time of making. The changes made to the Schedules are in paragraphs 1, 4, 6, 8, 11, 12 and 17 of Part I of Schedule 2, paragraphs 1 and 5 of Part I of Schedule 4, (to which a new paragraph 6 has been added to provide separately for a list of third countries from which equines and their genetic material may be imported); and paragraphs 2, 9, 10 and 14 of Part II of Schedule 4 have also been revised and updated.

In particular—

- (a) at paragraph 4 of Schedule 2, Part I, Council Directive 90/426/EEC is now to be read with Council Directive 90/427/EEC and Commission Decision 93/623/EEC as amended by Commission Decision 2000/68/EC, relating to equine identification in respect of trade, and the notes to that paragraph amend the details relating to the Tripartite Agreement to allow movements of equidae for breeding and production to take place between Ireland, France and the UK without need for official health certification (such animals must be accompanied by a passport in accordance with Commission Decision 93/62/EEC as amended by Commission Decision 2000/68/EC); and
- (b) at paragraph 6 of the Schedule 2, Part I, the reference to Council Decision 95/410/EC now reflects amendments made by Council Decision 98/227, and the requirements for certificates as to testing for Finland and Sweden have been updated to refer to Commission Decisions 2003/644/EC and 2004/235/EC in respect of breeding poultry, day-old chicks, laying hens and poultry for slaughter.