
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 377

The Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 2) Regulations 2007

Illegal consignments of products

20.—(1) An inspector who has reasonable grounds to suspect that any product other than an animal is intended to be dispatched in contravention of these Regulations may seize and remove the product.

(2) An inspector who has seized and removed a product shall forthwith—

- (a) apply to the sheriff for an order under paragraph (3); and
- (b) intimate that application to any person appearing to the inspector to be in charge of the product.

(3) The sheriff, if satisfied that it was intended to dispatch the product in contravention of these Regulations, shall—

- (a) if satisfied that the product can be returned to the owner without a significant risk of a further attempt to dispatch it in contravention of these Regulations, order that it is so returned; or
- (b) if not satisfied that the product can be returned in accordance with sub-paragraph (a), order that it is to be put into storage (if practicable) or destroyed.

(4) The owner and any person in charge of a product destroyed or disposed in accordance with an order under paragraph (3) the owner shall be jointly and severally liable for the costs incurred in the return to the owner, removal to storage, storage or destruction or disposal.

(5) An inspector may apply to the sheriff for the destruction of a product stored in accordance with an order under paragraph (3), and the sheriff shall order that it is to be destroyed if satisfied that the owner cannot—

- (a) be found; or
- (b) pay the costs associated with storage of the product.