
STATUTORY INSTRUMENTS

1996 No. 3124

**The Products of Animal Origin
(Import and Export) Regulations 1996**

PART III

INTRA-COMMUNITY TRADE

Consignments posing a risk to health and illegal consignments

16.—(1) If an authorised officer of the Minister or a local authority establishes in imported products of animal origin the presence of agents responsible for a disease named in Directive 82/894, or a zoonosis, a disease or any cause likely to constitute a serious hazard to animals or humans, he shall, by notice served on the person appearing to him to have charge of the consignment—

- (a) prohibit the movement of the consignment except as specified in the notice; and
- (b) order the batch to be destroyed or used in some other way.

(2) If an authorised officer of the Minister or a local authority establishes that imported products of animal origin come from an area infected by an epizootic disease relevant to the species of origin of the product, he shall, except where the product has been subjected to one of the treatments referred to in Article 4 of Council Directive [80/215/EEC](#) on animal health problems affecting intra-Community trade in meat products⁽¹⁾, by notice in writing, take the action set out in paragraph (1)(a) or (b) above.

(3) Subject to the following paragraph, if an authorised officer of the Minister or a local authority establishes that the products do not meet an animal or public health condition relating to import he may, by means of a notice served on the person appearing to him to have charge of the consignment, prohibit the movement of the consignment except as specified in the notice.

(4) If a notice is served under paragraph (3) above, the officer serving the notice shall serve on the person appearing to him to be the owner of the goods a notice—

- (a) ordering the destruction of the goods; or
- (b) if public and animal health considerations so permit, giving the person appearing to him to be the owner the choice of destroying the goods or using the goods for such other purposes 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 their country of origin.

(5) If the only way in which the consignment fails to comply with legislation is irregularity in documentation, any notice specifying action under paragraph (4) above shall grant the consignor a period of seven days to produce the correct documentation before such action is taken.

(6) In the event of a notice not being complied with, an authorised officer of the Minister or a local authority shall be empowered to destroy the goods.

⁽¹⁾ OJ No. L47, 21.2.80, p.4; relevant amending instruments are Council Directive [80/1100/EEC](#) (OJ No. L325, 1.2.80, p.17), Council Directive [87/491/EEC](#) (OJ No. L279, 2.10.87, p.27) and Council Directive [88/660/EEC](#) (OJ No. L382, 31.12.88, p.35).

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(7) The costs of returning the consignment, storing the goods, putting them to other uses or destroying them shall be borne by the consignee, unless the goods are destroyed under the provisions of paragraph (1) or (2) above, in which case the costs shall be borne by the consignor or his agent.

(8) An officer of a local authority exercising any powers under this regulation shall forthwith notify the appropriate Divisional Veterinary Manager of any findings arrived at, the decisions taken and the reasons for such decisions.

(9) Any notice served under this regulation shall give details of a right of appeal against the decision taken, including the relevant time limits.