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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which extend to England, implement Commission Decision [2002/48/EC](#) amending for the seventh time Decision [2001/740/EC](#) concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom (OJNo. L21, 24.1.2002, p. 29). They revoke and replace the Import and Export Restrictions (Foot-and-Mouth Disease) (No. 2) Regulations 2002 ([S. I. 2002/76](#)).

They regulate—

the importation of live animals (regulation 4 and Schedule 1)

and export of live animals (regulation 5)

the export of fresh meat (including minced meat and meat preparations) from bovine, ovine, caprine and porcine animals, and provide that meat from porcine animals from certain counties (including animals raised in some counties in Scotland and Wales) can be exported subject to conditions (regulation 6)

the export of semen, ova or embryos of animals of the bovine, ovine, caprine and porcine species and other biungulates (regulation 8). They create an offence of offering to export anything which it is prohibited to export under the Regulations (regulation 11).

They provide powers for enforcement, and powers for officers of HM Customs and Excise (regulations 12, 13 and 14) and create an offence of obstruction (regulation 17).

Breach of the Regulations is an offence. In the case of obstruction, the maximum penalty on summary conviction is a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding three months or to both. A person guilty of any other offence under these Regulations is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment not exceeding three months or to both;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

The Regulations are enforced by the Secretary of State or the local authority (regulation 22).

A regulatory impact assessment has not been prepared for these Regulations.