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STATUTORY INSTRUMENTS

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**2019 No. 1225**

**The Trade in Animals and Animal Products  
(Legislative Functions) and Veterinary Surgeons  
(Amendment) (EU Exit) Regulations 2019**

**PART 2**

Powers to amend lists of approved third countries for trade in animals and products

CHAPTER 15

Function of approval of third countries to be included in approved lists for  
the importation of live equidae and semen, ova and embryos of equidae

**Power to amend the third country lists in Commission Implementing Regulation (EU)  
2018/659**

17.—(1) The Secretary of State, with the consent of the appropriate authority, may by regulations amend Commission Implementing Regulation (EU) 2018/659 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of equidae<sup>MI</sup>, to add a third country to the list in Annex 1 (“the list”), or remove or amend an entry in the list in respect of a third country, where the amendment is necessary or appropriate in the light of an assessment of the risks to animal health in the United Kingdom, taking into account the matters specified in this regulation.

(2) Any assessment which is relied upon for the purposes of paragraph (1) with regard to imports of live equidae must be appropriate to the circumstances and must be approved by the Secretary of State and the appropriate authority, taking into account—

- (a) how the third country applies and implements international animal health standards, in particular the principle of regionalisation, within its own territory and in relation to its sanitary requirements for importation from other third countries and from the United Kingdom;
- (b) the health status of the equidae, other domestic animals and wildlife and the environmental situation in the third country, with particular regard to exotic, notifiable and reportable animal diseases and any aspects of the general situation as regards health in the third country which may pose a risk to the health and environmental situation of the United Kingdom;
- (c) the legislation of the third country in relation to animal health and welfare;
- (d) the organization of the competent veterinary authority and its inspection services, the powers of those services, the supervision to which they are subject, and the means at their disposal, including staff and laboratory capacity, to apply national legislation effectively;
- (e) the assurances which the competent veterinary authority of the third country can give regarding compliance or equivalence with the relevant animal health conditions applicable in the United Kingdom;

- (f) whether the third country is a member of the OIE, and the regularity and rapidity of its provision of information relating to the existence of infectious or contagious diseases of equidae in its territory, in particular those diseases listed by the OIE and in Annex 1 to Council Directive [2009/156/EC](#);
- (g) the assurances given by the third country to inform the United Kingdom—
- (i) within 24 hours, of the confirmation of the occurrence of infectious diseases of equidae listed in Annex 1 to Council Directive [2009/156/EC](#), and of any change in the vaccination policy concerning such diseases;
  - (ii) within an appropriate period, of any proposed changes in the national sanitary rules concerning equidae, in particular regarding the importation of equidae; and
  - (iii) at regular intervals, of the animal health status of its territory concerning equidae;
- (h) any experience of previous imports of live equidae from the third country and the results of any import controls carried out;
- (i) the results of inspections or audits carried out in the third country, in particular the results of the assessment of the competent authority of the third country of those inspections or audits;
- (j) the rules on the prevention and control of infectious or contagious animal diseases in force in the third country and their implementation, including rules on the importation of equidae from other third countries;
- (k) any special import conditions that may be required by the United Kingdom having regard to the situation as regards the health of equidae in the third country.
- (3) Any assessment which is relied upon for the purposes of paragraph (1) to amend the list with regard to imports of equine semen, ova or embryos must be appropriate to the circumstances and must be approved by the Secretary of State and the appropriate authority, taking into account—
- (a) whether there are any diseases referred to in Annex A to Council Directive [92/65/EC](#) or of any other disease exotic to the United Kingdom present in the third country;
  - (b) whether the third country is capable of guaranteeing the implementation of its legislation, and whether the organization of its veterinary and inspection services enables the country effectively to undertake or supervise such services;
  - (c) whether the veterinary services of the third country are able to guarantee that health requirements at least equivalent to those laid down in Chapter 2 of Council Directive [92/65/EC](#) are being complied with;
  - (d) any on-the-spot inspections by experts from the United Kingdom undertaken to verify whether the assurances given by the third country regarding the conditions of production and placing on the market can be considered equivalent to those applied in the United Kingdom.
- (4) In the case of a third country which is not listed in the list, or which is listed therein only as regards part of its territory, the assessment must demonstrate that the relevant competent authority of the third country is able to provide appropriate assurances regarding compliance with relevant animal health requirements in the United Kingdom.

#### Commencement Information

**II** Reg. 17 in force at 31.12.2020 (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(3)

#### Marginal Citations

**M1** Commission Implementing Regulation 2018/659 is amended by [S.I. 2019/795](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019, Section 17.