
STATUTORY INSTRUMENTS

2022 No. 735

The Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022

Amendment of Commission Implementing Decision 2012/137/EU

14.—(1) Commission Implementing Decision on imports into the Union of semen of domestic animals of the porcine species⁽¹⁾ is amended as follows.

(2) In Article 1 (subject matter), in paragraph 1—

- (a) for “or parts thereof” substitute “and makes provision for the specification of parts thereof”;
- (b) for “shall” substitute “may”.

(3) In Article 2 (imports of semen), in paragraph 1(a) for “a third country, or part thereof, listed in Annex 1” substitute “such third country listed in Annex 1, or a part thereof, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”.

(4) In Article 2a (conditions for listing of semen collection centres), in paragraph 1(a) for “one of the third countries listed in Annex 1” substitute “such third country listed in Annex 1 as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”.

(5) After Article 3 insert—

“Article 3a

Matters relating to the exercise of powers under this Decision

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal health in the United Kingdom and the matters specified in paragraph 3.

2. The provisions are—

- (a) paragraph 1(a) of Article 2 (specification of third country or part thereof authorised for import of semen);
- (b) paragraph 1(a) of Article 2a (specification of third country or part thereof authorised for import of semen dispatched from a collection centre).

3. Any assessment which is relied on for the purposes of paragraph 1 must be appropriate to the circumstances and have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), taking into account—

- (a) the state of health of the livestock, other domestic animals and wildlife and the environmental situation in the third country, with particular reference to animal

(1) Commission Implementing Decision 2012/137/EU, amended by S.I. 2019/795, S.I. 2019/1225, S.I. 2020/1462.

diseases that are exotic, notifiable or reportable in the United Kingdom and which might endanger the health and environmental situation of the United Kingdom;

- (b) the regularity and rapidity of the provision of information by the third country concerning the existence of contagious animal diseases in its territory, in particular those diseases listed by the World Organisation for Animal Health;
- (c) the third country's rules on animal disease prevention and control;
- (d) the structures, skills, independence and qualifications of the competent authority's veterinary service and inspection services in the third country;
- (e) the organisation and implementation of measures to prevent and control contagious animal diseases;
- (f) the assurances which the third country can give with regard to compliance with the animal health requirements relating to the collection, processing, storage and transport of porcine semen that is approved for export.

4. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 2 the Secretary of State must have regard to that request.”.

(6) In Annex 1 (list of third countries or parts thereof from which imports of semen of domestic animals of the porcine species are to be authorised)—

- (a) in the heading, omit “or part thereof”;
- (b) in the table, omit the third column (remarks);
- (c) in the footnotes to the table—
 - (i) omit the footnote relating to Switzerland;
 - (ii) omit the footnote relating to EU Member States, Liechtenstein and Norway.