
WELSH STATUTORY INSTRUMENTS

2004 No. 1430

**The Products of Animal Origin (Third
Country Imports) (Wales) Regulations 2004**

PART 6

Products Intended for Import

Retention of documents at border inspection posts

34. Where a documentary check has been carried out at a border inspection post on a product intended (whether directly or ultimately) for import, the person who presented the required documents relating to that product pursuant to regulation 18(1) must surrender the same to the official veterinary surgeon at that border inspection post.

Evidence of certification of, and payment for, veterinary checks

35. Where a certificate of veterinary clearance has been issued certifying that a consignment is fit for import, the person responsible for the consignment must supply the Commissioners with evidence satisfactory to them that—

- (a) the certificate has been issued; and
- (b) all charges payable in accordance with Part 10 for veterinary checks carried out on the consignment, including sampling, and for any test or analysis carried out on any samples taken, have been paid, or payment thereof has been assured by a deposit or guarantee satisfactory to the person to whom, pursuant to regulation 52(2), the charges are payable.

Products not intended for the United Kingdom

36. Where—

- (a) notice of introduction of a product has been given pursuant to regulation 17; and
- (b) that notice specifies a member State other than the United Kingdom as the country of destination; and
- (c) a certificate of veterinary clearance has been issued in respect of that product, authorising its import—
 - (i) into that member State or a particular area thereof in accordance with specific requirements, or
 - (ii) for specific purposes in accordance with conditions,which requirements or conditions are laid down for products imported into that member State or particular area, or for products imported for those specific purposes, in any directive, decision or regulation listed in Schedule 2,

no person may, without reasonable excuse, prevent or delay the transport of that product to that member State.

Products transported under supervision

37.—(1) This regulation applies to products intended for import which are required by any directive, decision or regulation listed in Schedule 2 to be transported under veterinary supervision from the border inspection post at which they are first introduced into the relevant territories to their destination establishment.

(2) No person may remove a product to which this regulation applies from a border inspection post unless it is contained in a leak-proof container or means of transport which has been sealed by an officer of the Commissioners or by the official veterinary surgeon at that border inspection post.

(3) The person responsible for a product to which this regulation applies and any carrier who has charge of it for the time being must ensure that the product is transported without delay to its destination establishment, and that the certificate of veterinary clearance issued in respect of the product accompanies it until it reaches its destination establishment.

(4) Where a certificate of veterinary clearance has authorised import of a product to which this regulation applies for specific purposes as described in regulation 36(c)(ii), the person responsible for the product and any carrier who has charge of it for the time being must ensure that it remains under the supervision of the Commissioners in accordance with the T5 procedure provided for in Articles 471 to 495 of Commission Regulation (EEC) No. 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No. 2913/92 establishing the Community Customs Code⁽¹⁾ until it reaches its destination establishment.

(5) An operator of a destination establishment or an intermediate storage warehouse must give immediate written notification to the veterinary officer who is responsible on behalf of the National Assembly or the Agency for the destination establishment or intermediate storage warehouse, as the case may be, of the arrival there of any product to which this regulation applies.

(6) An operator of a destination establishment must ensure that a product to which this regulation applies undergoes at the destination establishment the treatment prescribed for it by the relevant directive, decision or regulation listed in Schedule 2.

Transshipment of products intended for import

38.—(1) This regulation applies to transhipped products where the border inspection post of introduction is in Wales.

(2) As soon as a product to which this regulation applies arrives at the border inspection post of introduction, the person responsible for the product must notify the official veterinary surgeon there in writing, or in computerised or other electronic form, of the exact location of the product, of the estimated time of its transshipment or unloading, and of its border inspection post of destination.

(3) Where, according to the notification given pursuant to paragraph (2), a product to which this regulation applies is to be transhipped—

- (a) from one aircraft to another, either directly or after being unloaded in a customs controlled area at the border inspection post of introduction for less than twelve hours, or
- (b) from one sea-going vessel to another, either directly or after being unloaded in an area as aforesaid for less than seven days,

any person required by regulation 18 to present the product and its required documents, or to ensure that they are presented, to the official veterinary surgeon at the border inspection post of introduction, must, if the official veterinary surgeon considers that the product presents a risk to animal or public health, permit the official veterinary surgeon, or an assistant appointed pursuant to regulation 6(1)(b) or 6(2)(c), to carry out a documentary check on the required documents.

(1) OJ No. L253, 11.10.93, p.1, as last amended by Commission Regulation (EC) No. 1335/2003 (OJ No. L187, 26.7.2003, p.16).

(4) Where a product to which this regulation applies is proposed to be unloaded from an aircraft for twelve hours or more, the person responsible for the product must ensure that it is stored for not more than 48 hours under the supervision of the official veterinary surgeon at the border inspection post of introduction in a customs controlled area there and is then reloaded onto an aircraft for onward transport to its border inspection post of destination.

(5) Where a product to which this regulation applies is proposed to be unloaded from a sea-going vessel for seven days or more, the person responsible for the product must ensure that it is stored for not more than twenty days under the supervision of the official veterinary surgeon at the border inspection post of introduction in a customs controlled area there and is then reloaded onto a sea-going vessel for onward transport to its border inspection post of destination.

(6) Any person required by regulation 18 to present a product to which paragraph (4) or paragraph (5) applies and its required documents to the official veterinary surgeon at a border inspection post of introduction must permit the official veterinary surgeon there, or an assistant appointed pursuant to regulation 6(1)(b) or 6(2)(c), to carry out a documentary check on the required documents and, if the official veterinary surgeon considers that the product presents a risk to animal or public health, an identity check of the product against the required documents and a physical check of the product.

(7) Where a product to which paragraph (4) applies is stored for more than 48 hours after unloading, or a product to which paragraph (5) applies is stored for more than twenty days after unloading, any person required by regulation 18 to present the product and its required documents to the official veterinary surgeon at the border inspection post of introduction, must permit the official veterinary surgeon there, or an assistant appointed pursuant to regulation 6(1)(b) or 6(2)(c), to carry out in all cases, an identity check of the product against the required documents and a physical check of the product.