WELSH STATUTORY INSTRUMENTS

2007 No. 2385

The Import and Export Restrictions (Foot-And-Mouth Disease) (No 2) (Wales) Regulations 2007

Dispatch of animal products

12.—(1) No person may dispatch animal products of the bovine, ovine, caprine and porcine species and other biungulates not otherwise mentioned in these Regulations,—

(a) produced after 15 July 2007 coming from the restricted area; or

(b) Obtained from animals originating from the restricted area.

(2) No person may dispatch dung or manure from animals of the bovine, ovine, caprine and porcine species and other biungulates from the restricted area.

(3) The prohibition in paragraph (1) does not apply in relation to—

(a) animal products that—

(i) have been subject to a heat treatment in a hermetically sealed container with a Fo value of 3,00 or more; or

(ii) have been subject to a heat treatment in which the centre temperature is raised to at least 70°C; or

(iii) were produced outside the restricted area in accordance with the conditions laid down in Regulation (EC) No 1774/2002, and which since introduction into the United Kingdom have been stored and transported separately from animal products not eligible for dispatch;

(b) blood and blood products—

(i) as defined in points 4 and 5 of Annex I to Regulation (EC) No 1774/2002 which have been subjected to at least one of the treatments provided for in paragraph 3(a)(ii) of Part A of Chapter IV of Annex VIII to Regulation (EC) No 1774/2002, followed by an effectiveness check; or

(ii) that have been imported in accordance with Part A of Chapter IV of Annex VIII to Regulation (EC)No 1774/2002;

(c) lard and rendered fats which have been subjected to the heat treatment prescribed in paragraph 2(d)(iv) of Part B of Chapter IV of Annex VII to Regulation (EC) No. 1774/2002;

(d) animal casings that comply with the conditions in Part A of Chapter 2 of Annex 1 to Directive 92/118/EC laying down animal health and public requirements governing trade in and imports into the Community of certain products(**1**)which have been cleaned, scraped and then either salted, bleached or dried, and where subsequently effective steps were taken to prevent the recontamination of the casings;

(**1**) OJ No L162, 15.3.1993, p49

(e) sheep wool, ruminant hair and pigs' bristles which have undergone factory washing or have been obtained from tanning and unprocessed sheep wool, ruminant hair and pigs' bristles which are securely enclosed in packaging and dry;

(f) petfood conforming to the requirements of points 2 to 4 of Part B of Chapter II of Annex VIII to Regulation (EC) No 1774/2002;

(g) composite products which are not subjected to further treatment containing products of animal origin on the understanding that the treatment was not necessary for finished products the ingredients of which comply with the respective animal health conditions laid down in these Regulations;

(h) game trophies in accordance with points 1, 3 or 4 of Part A of Chapter VII of Annex VIII to Regulation (EC) No 1774/2002;

(i) packed animal products intended for use as in-vitro diagnostic or laboratory reagents; or

(j) medicinal products as defined in Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community Code relating to medicinal products for human use(**2**) veterinary medicinal products as defined in Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community Code relating to veterinary medicinal products(**3**) and investigational medicinal products as defined in Directive 2001/20/EC of the European Parliament and of the Council of 4 April 2001 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the conduct of clinical trials on medicinal products for human use(**4**)

(4) The animal products referred to in paragraph (3) for dispatch to other Member States must be accompanied by an official certificate which bears the following words—

"Animal products conforming to Commission Decision 2007/554/EC of 9 August 2007 concerning certain protection measures against foot-and-mouth disease in the United Kingdom".

(5) Paragraph (4) does not apply to products specified in sub-paragraphs (b), (c) or (d) of paragraph (3) that are accompanied by a commercial document endorsed in accordance with regulation 14 of these Regulations.

(6) Paragraph (4) does not apply to products specified in sub-paragraph (e) of paragraph (3) that are accompanied by a commercial document stating either—

(a) that the products have undergone factory washing or have been obtained from tanning; or

(b) that the products comply with the conditions laid down in points 1 and 4 of Part A of Chapter VIII of Annex VIII to Regulation (EC) No 1774/2002.

(7) Paragraph (4) does not apply to products specified in sub-paragraphs (f) and (g) of paragraph (3) which have been produced in an establishment operating HACCP and an auditable standard operating procedure which ensures that pre-processed ingredients comply with the requirements of these regulations and they have a commercial document endorsed in accordance with regulation 14.

(8) Paragraph (4) does not apply to products specified in sub-paragraphs (i) and (j) of paragraph (3) if they are accompanied by a commercial document stating that the products are for use as in-vitro diagnostic or laboratory reagents or medicinal products, provided that the products are clearly labelled "for in-vitro diagnostic use only" or "for laboratory use only" or as "medicinal products".

(**2**) OJ No L311, 28.11.2001,p67
(**3**) OJ No L311, 28.11.2001, p1
(**4**) OJ No L121, 1.5.2001, p34

(9) Paragraph (4) does not apply to composite products that fulfil the conditions set out in Article 6(1) of Commission Decision 2007/275/EC concerning lists of animals and products to be subject to controls at border inspection posts(**5**) if they are accompanied by a commercial document which bears the following words:

> "These composite products are shelf stable at ambient temperatures or have clearly undergone in their manufacture a complete cooking or heat treatment process throughout their substance so that any raw material is de-natured".

(**5**) OJ No L 116, 4.5.2007, p.9