WELSH STATUTORY INSTRUMENTS

2007 No. 3296

The Export and Movement Restrictions (Foot-and-Mouth Disease) (Wales) Regulations 2007

PART 2

Import and export restrictions

Export of animal products

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

(a) produced after 15 July 2007 in the areas specified in Schedule 1; or

(b) obtained from animals originating from the areas specified in Schedule 1.

(2) No person may export dung or manure from animals of the bovine, ovine, caprine or porcine species or other biungulates from the areas specified in Schedule 1.

(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;

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

(iii) were produced outside the areas specified in Schedule 1 in accordance with the conditions laid down in Regulation (EC) No 1774/2002, and which since introduction into the areas specified in Schedule 1 have been stored and transported separately from animal products not eligible for export; or

(iv) were produced from animals slaughtered in a slaughterhouse, or in the case of farmed game slaughtered on premises, or in the case of wild game killed, for the production of meat in accordance with regulation 5(3), and comply with the requirements of Part A(1) of Chapter II of Annex VIII to Regulation (EC) No 1774/2002, and have been stored and transported separately from animal products not eligible for export;

(b) blood or 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 or rendered fats which have been subjected to the heat treatment prescribed in point 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;

(e) sheep wool, ruminant hair or pigs' bristles, any of which has undergone factory washing or has been obtained from tanning;

(f) sheep wool, ruminant hair or pigs' bristles, any of which has been securely enclosed in packaging and is dry;

(g) 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;

(h) 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;

(i) 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;

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

(k) 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**), non-viable medical devices as defined in Article 1(5)(g) of Council Directive 93/42/EEC of 14 June 1993 concerning medical devices(**3**), 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(**4**) 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(**5**).

(4) The animal products referred to in paragraph (3) for export to other member States from Wales 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 paragraph (3)(a) to (d) or (g) that are accompanied by a commercial document stating that the products comply with the relevant requirements of paragraph 3(a) to (d) or (g) which is endorsed in accordance with regulation 14.

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

(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 paragraph (3)(h) which have been produced in an establishment operating HACCP and an auditable standard operating procedure

(**1**) OJ No. L62, 15.3.1993, p.49.
(**2**) OJ No. L311, 28.11.2001, p.67.
(**3**) OJ No. L169, 12.7.1993, p.1.
(**4**) OJ No. L311, 28.11.2001, p.1.
(**5**) OJ No. L121, 1.5.2001, p.34.

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 paragraph (3)(j) or (k) if they are accompanied by a commercial document stating that the products are for use as in-vitro diagnostic or laboratory reagents or medical products or medical devices, provided that the products are clearly labelled "for in-vitro diagnostic use only" or "for laboratory use only" or as "medicinal products" or as "medical devices".

(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(**6**) 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.".

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