
WELSH STATUTORY INSTRUMENTS

2011 No. 2379

**The Trade in Animals and Related
Products (Wales) Regulations 2011**

PART 3

Importation from a third country

Action following failure of checks or seizure — animals

[^{F1}23.—(1) If the checks at a border control post show that an animal does not comply with the rules referred to in [^{F2}Chapter 5 of Title 2] of the [^{F3}Official Controls Regulation] relating to that animal, or where such checks reveal an irregularity, the official veterinary surgeon must initially place the animal under detention, isolation or quarantine, as appropriate, where it must be kept, cared for or treated under appropriate conditions pending further official decision on the fate of the animal.

(2) Unless immediate action is necessary in order to respond to a risk to human or animal health or animal welfare or to the environment, the official veterinary surgeon may, after consultation with the importer or the importer's representative, order the person responsible for the consignment—

- (a) to shelter, feed and water and, if necessary, treat the animal;
- (b) if necessary, to place it in quarantine or isolate it for so long as is necessary to ensure that there is no risk to human or animal health; or
- (c) to re-dispatch the animal in accordance with Article 72 of the [^{F3}Official Controls Regulation] without delay.

(3) If re-dispatch is impossible, in particular for welfare reasons, the official veterinary surgeon may order the importer or the importer's representative to arrange for the slaughter of the animal to spare any avoidable pain, distress or suffering.

(4) If an animal is seized under regulation 19 at a place other than a border control post, the enforcement authority must order the consignment to be retained or recalled, and placed under official detention without delay, and paragraphs (1) and (2) apply.

(5) The official veterinary surgeon may exceptionally authorise partial destruction, re-dispatch, special treatment, or any other measure that may be taken in respect of a consignment of animals to be taken in respect of a part of any such consignment, provided that such action—

- (a) is such as to ensure compliance with the import check requirements the [^{F3}Official Controls Regulation] and any relevant Implementing Regulations and Delegated Regulations made under it;
- (b) does not pose a risk to human or animal health; and
- (c) does not disrupt official control operations.

(6) The importer or the importer's representative is liable for the costs incurred in these measures
^{F4}]

Changes to legislation: *There are currently no known outstanding effects for the The Trade in Animals and Related Products (Wales) Regulations 2011, Section 23. (See end of Document for details)*

Textual Amendments

- F1** Reg. 23 substituted (31.1.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **23(21)**
- F2** Words in reg. 23(1) substituted (31.12.2020) by [The Trade in Animals and Related Products \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1612\)](#), regs. 1(3), **18(a)**
- F3** Words in reg. 23 substituted (31.12.2020) by [The Trade in Animals and Related Products \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1612\)](#), regs. 1(3), **18(b)**
- F4** Words in reg. 23(6) omitted (20.3.2020) by virtue of [The Trade in Animals and Related Products \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/177\)](#), regs. 1, **2(4)**

Changes to legislation:

There are currently no known outstanding effects for the The Trade in Animals and Related Products (Wales) Regulations 2011, Section 23.