

SCHEDULE 1 **E+W**

Regulations 5 and 15

European Union legislation

E+W

F1 . . .

Textual Amendments

F1 Sch. 1 omitted (16.12.2022) by virtue of [The Trade in Animals and Related Products \(Amendment and Legislative Functions\) and Animal Health \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1348\)](#), regs. 1(2), **3(7)**

Textual Amendments

F1 Sch. 1 omitted (16.12.2022) by virtue of [The Trade in Animals and Related Products \(Amendment and Legislative Functions\) and Animal Health \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1348\)](#), regs. 1(2), **3(7)**

SCHEDULE 2 **E+W**

[^{F2}Regulation 25]

Specific requirements for individual cases

Textual Amendments

F2 Words in Sch. 2 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), **30(a)**

^{F3} **PART 1** **E+W**

Additional requirements for trade with member States

Textual Amendments

F3 Sch. 2 Pt. 1 omitted (31.12.2020) by virtue of [The Trade in Animals and Related Products \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1612\)](#), regs. 1(3), **30(b)**

PART 2 **E+W**

Additional provisions relating to imports from third countries

Arrival at premises of destination **E+W**

8.—(1) This paragraph applies to elephants and to cattle, pigs, sheep, goats and all other animals of the taxa Artiodactyla, and their crossbreeds.

(2) Animals intended for immediate slaughter must be conveyed without delay from the border inspection post to the slaughterhouse of destination and slaughtered within five working days.

(3) In any other case the animals must be taken without delay from the border inspection post to the holding of destination and kept there for at least 30 days (unless consigned from the holding direct to a slaughterhouse).

Imported birds **E+W**

9.—(1) The Welsh Ministers are the competent authority for [^{F4}the import of certain birds and quarantine conditions for the purposes][^{F5}of][^{F6}Commission Implementing Regulation (EU) No 139/2013 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof].

(2) An importer must comply with Article 7 (transport of birds) of that Regulation.

(3) No person may release a bird from quarantine except in accordance with Article 16 (release of birds) of that Regulation.

Textual Amendments

- F4** Words in Sch. 2 para. 9(1) inserted (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(34)(f)**
- F5** Word in Sch. 2 para. 9(1) inserted (20.3.2020) by [The Trade in Animals and Related Products \(Wales\) \(Amendment\) Regulations 2020 \(S.I. 2020/177\)](#), regs. 1, **2(5)**
- F6** Words in Sch. 2 para. 9(1) substituted (17.12.2018) by [The Environment, Planning and Rural Affairs \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/1216\)](#), regs. 1(3), **37**

Horses **E+W**

^{F7}**10.**

Textual Amendments

- F7** Sch. 2 para. 10 omitted (31.12.2020) by virtue of [The Trade in Animals and Related Products \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1612\)](#), regs. 1(3), **30(e)**

[^{F8}Ship supply **E+W**

11.—(1) A product that does not comply with import requirements and is sent from a border control post to a ship must be accompanied by the relevant health certificate relating to that product, and the master of the vessel must confirm delivery of the product by signing a certificate which must accompany the consignment to its place of destination.

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

(2) Within 15 days of completion of delivery of products on board the vessel, the operator responsible for the delivery, or the representative of the master of the vessel, must send the official certificate signed by the master of the vessel (or send by electronic means and systems) to the competent authorities of the border control post of entry or the approved customs warehouse.]

Textual Amendments

F8 Sch. 2 para. 11 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(34)(h)**

[^{F9}Special Import Conditions E+W

11A.—(1) The Welsh Ministers may by regulations impose special import conditions in respect of imports from third countries of products of animal origin intended for human consumption, having regard to the animal health situation of the third country or countries concerned and may for that purpose amend, modify or revoke any [^{F10}assimilated direct minor legislation] made under Article 8(4) of Council [Directive 2002/99/EC](#).

(2) The power to make regulations under this paragraph—

- (a) is exercisable by statutory instrument;
- (b) includes power to make different provision for different purposes; and
- (c) includes power to make such incidental, supplemental, consequential, transitory, transitional or saving provision as the Welsh Ministers consider appropriate.

(3) A statutory instrument containing regulations made under this paragraph is subject to annulment in pursuance of a resolution of Senedd Cymru.]

Textual Amendments

F9 Sch. 2 para. 11A inserted (31.12.2020) by [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1639\)](#), regs. 1(2), **2(2)**

F10 Words in Sch. 2 para. 11A(1) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendments\) \(Wales\) Regulations 2023 \(S.I. 2023/1332\)](#), regs. 1(2), **14(3)**

Charges for veterinary checks from New Zealand E+W

[^{F11}12.]

Textual Amendments

F11 Sch. 2 para. 12 omitted (31.1.2020) by virtue of [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **23(34)(i)**

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

SCHEDULE 3 **E+W**

[^{F12}Regulation 26(1)]

Cases to which Part 3 does not apply

Textual Amendments

F12 Words in Sch. 3 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), **31(a)**

Disapplication of Part 3 **E+W**

1. Part 3 of these Regulations does not apply in the cases set out in this Schedule.

Case 1: Personal imports and small consignments **E+W**

[^{F13}2. Products referred to in Article 7 and Article 10 of [^{F14}Commission Delegated Regulation (EU) 2019/2122].]

Textual Amendments

F13 Sch. 3 para. 2 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(35)(a)**

F14 Words in Sch. 3 para. 2 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), **31(b)**

Case 2: International means of transport **E+W**

3. Products on board means of transport operating internationally that are intended for consumption by the crew and passengers and that are either—

- (a) not unloaded;
- (b) transferred directly from one means of transport operating internationally to another at the same port and under customs supervision; or
- (c) destroyed as soon as they are unloaded.

[^{F15}Case 3: Research and diagnostic samples **E+W**

4.—(1) Research and diagnostic samples as defined in point (38) of Annex 1 to [^{F16}Commission Regulation (EU) No 142/2011] are exempt from veterinary checks at the border control post, provided that they have been authorised in advance by the Welsh Ministers and the consignment is sent directly from the point of entry to the authorised user.

[^{F17}(2)]

Textual Amendments

F15 Sch. 3 para. 4 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(35)(b)**

F16 Words in Sch. 3 para. 4(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), **31(c)(i)**

F17 Sch. 3 para. 4(2) omitted (31.12.2020) by virtue of [The Trade in Animals and Related Products \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1612\)](#), regs. 1(3), **31(c)(ii)**

[^{F18}Case 4: Consignments cleared in Great Britain E+W

5. Consignments of animals and products from third countries that have been presented to any border control post in Great Britain and cleared for free circulation.]

Textual Amendments

F18 Sch. 3 para. 5 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), **31(d)**

Case 5: Composite products E+W

6.—(1) Composite products and foodstuffs listed in Annex II to Commission Decision [2007/275/EC](#).

(2) Composite products not containing meat or meat products, where less than half of the product is processed product of animal origin, provided that such products are—

- (a) shelf-stable at ambient temperature or have clearly undergone, in their manufacture, a complete cooking or heat treatment process throughout their substance, so that any raw product is denatured;
- (b) clearly identified as intended for human consumption;
- (c) securely packaged or sealed in clean containers; and
- (d) accompanied by a commercial document and labelled in [^{F19}English (whether or not it also appears in any other language)], so that that document and labelling together give information on the nature, quality and number of packages of the composite products, the country of origin, the manufacturer and the ingredient.

Textual Amendments

F19 Words in Sch. 3 para. 6(2)(d) 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), **31(e)**

Case 6: Animals subject to rabies control E+W

7. Animals specified in Schedule 1 to the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 ^{M1} and imported in accordance with a licence under that Order.

Marginal Citations

M1 [S.I. 1974/2211](#) to which there are amendments not relevant to these Regulations.

[^{F20}Case 7: [^{F21}Relevant] animals intended for scientific purposes E+W

8.—(1) [^{F22}Relevant] animals intended for scientific purposes such as research, educational activities or research related to product development activities are exempt from official controls at

border control posts, other than controls carried out in accordance with Article 15(2) of Regulation (EU) No 1143/2014^{M2}, provided that—

- (a) they comply with all requisite animal health requirements;
- (b) they have been authorized by the Welsh Ministers ;
- (c) when the activities relating to the scientific purposes have been carried out, they and any products derived from them, with the exception of any portions used for the scientific purposes, must be disposed of or re-dispatched to the third country of origin.

[^{F23}(1A) In this paragraph, “relevant animals” means—

- (a) animals listed in Schedule 2 to the Animals (Scientific Procedures) Act 1986; and
- (b) invertebrate animals.]

[^{F24}(2) Sub-paragraph (1) does not apply to zebra fish, aquatic molluscs belonging to the phylum *Mollusca* or aquatic crustaceans belonging to the subphylum *Crustacea*.]

[^{F25}(3) The reference to educational activities in sub-paragraph (1) does not apply in relation to—

- (a) vertebrate animals; or
- (b) honey bees (*Apis mellifera*) or bumble bees (*Bombus* spp).]]

Textual Amendments

- F20** Sch. 3 para. 8 inserted (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(35)(e)**
- F21** Word in Sch. 3 para. 8 heading substituted (16.12.2022) by [The Trade in Animals and Related Products \(Amendment and Legislative Functions\) and Animal Health \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1348\)](#), regs. 1(2), **3(8)(a)**
- F22** Word in Sch. 3 para. 8(1) substituted (16.12.2022) by [The Trade in Animals and Related Products \(Amendment and Legislative Functions\) and Animal Health \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1348\)](#), regs. 1(2), **3(8)(a)**
- F23** Sch. 3 para. 8(1A) inserted (16.12.2022) by [The Trade in Animals and Related Products \(Amendment and Legislative Functions\) and Animal Health \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1348\)](#), regs. 1(2), **3(8)(b)**
- F24** Sch. 3 para. 8(2) substituted (16.12.2022) by [The Trade in Animals and Related Products \(Amendment and Legislative Functions\) and Animal Health \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1348\)](#), regs. 1(2), **3(8)(c)**
- F25** Sch. 3 para. 8(3) inserted (16.12.2022) by [The Trade in Animals and Related Products \(Amendment and Legislative Functions\) and Animal Health \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1348\)](#), regs. 1(2), **3(8)(d)**

Marginal Citations

- M2** OJ No. L 317, 4.11.2014, p. 35.

[^{F26}**Case 8: low risk goods exempted from routine checks under Article 48(h) of the Official Controls Regulation** **E+W**

9. Low risk goods exempted from routine identity and physical checks in accordance with conditions specified by regulation 10 of the Official Controls (Miscellaneous Amendments) Regulations 2024.]

Textual Amendments

- F26** Sch. 3 para. 9 inserted (30.4.2024) by [The Official Controls \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/541\)](#), regs. 1, **14(3)** (with reg. 5)

SCHEDULE 4 **E+W**

Regulation 43

Consequential amendments

Amendment to the **Bluetongue (Wales) Regulations 2008** **E+W**

1. After regulation 19 of the **Bluetongue (Wales) Regulations 2008** ^{M3} insert—

“ **PART 3A** **E+W**

Exports

19A.—(1) A person must not export any animal, semen, ovum or embryo to a third country unless it complies with Commission Regulation (EC) No. 1266/2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue.

(2) An inspector who has reasonable cause to suspect that a person intends to export any animal, semen, ovum or embryo in contravention of this regulation may by notice served on that person, that person's representative or the person appearing to be in charge of the animal, semen, ovum or embryo, prohibit that export and require the person on whom the notice is served to take the animal, semen, ovum or embryo to such places as may be specified in the notice and to take such further action in relation to it as may be specified in the notice.

(3) If a notice served under paragraph (2) is not complied with, an inspector may seize any animal or thing to which it relates and arrange for the requirements of the notice to be complied with at the expense of the person on whom the notice was served.”

Marginal Citations

- M3** [S.I. 2008/1090](#) (W.116).

Amendment to the **Importation of Animal Products and Poultry Products Order 1980** **E+W**

2. The **Importation of Animal Products and Poultry Products Order 1980** ^{M4}, insofar as it relates to Wales, is amended by inserting after article 1—

“Scope

1A. This Order does not apply in relation to any importation in relation to which the **Trade in Animals and Related Products (Wales) Regulations 2011** apply.”

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

Marginal Citations

M4 S.I. 1980/14 to which there are amendments not relevant to these Regulations.

[^{F27}SCHEDULE 5 **E+W**

Regulation 26(2)

Application of, derogations from, and modifications to, Part 3 in relation to territories subject to special transitional import arrangements

Textual Amendments

F27 Sch. 5 inserted (31.12.2020) by [The Trade in Animals and Related Products \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1612\)](#), regs. 1(3), **32**

PART 1 **E+W**

Introductory

Application **E+W**

1. This Schedule applies to products and live animals that originate from—
 - (a) a territory subject to special transitional import arrangements; or
 - (b) a third country other than a territory subject to special transitional import arrangements where, before importation into Wales, the products or live animals concerned—
 - (i) have been presented to a member State border control post recognised by the Welsh Ministers;
 - (ii) are accompanied by a CHED which has been completed to the satisfaction of the relevant authority; and
 - (iii) have been pre-notified.

Interpretation **E+W**

2. For the purposes of this Schedule—

“pre-notified” (“*rhaghysbysu*”) means notified using the appropriate computerised information management system;

“relevant goods” (“*nwyddau perthnasol*”) means products and live animals falling within paragraph 1;

“territory subject to special transitional import arrangements” (“*tiriogaeth sy’n ddarostyngedig i drefniadau mewnfario trosiannol arbennig*”) means—

 - (a) an EU member State;
 - (b) the Faroe Islands;
 - (c) Greenland;
 - (d) Iceland;
 - (e) Liechtenstein;

(f) Norway;

(g) Switzerland;

“working day” (“*diwrnod gwaith*”) means a day other than Saturday or Sunday which is not Christmas Day, Good Friday or a bank holiday under section 1 of the Banking and Financial Dealings Act 1971.

Application of, derogations from, and modifications to, Part 3 of these Regulations **E+W**

3. The provisions of Part 3 of these Regulations apply to relevant goods with the derogations and modifications specified in Part 2 of this Schedule.

PART 2 **E+W**

Derogations from, and modifications to, Part 3 of these Regulations

Derogation from regulation 13: place of importation **E+W**

[^{F28}4.—(1) From 30th April 2024, regulation 13 applies in relation to Wales as if—

- (a) the existing text were renumbered as paragraph (1); and
- (b) in paragraph (1) (as renumbered) for “other than at a border inspection post designated for that animal or product” there were substituted—

“other than—

- (a) in accordance with paragraphs (2) or (3); or
- (b) as regards any product, following the designation of a border control post for the product in question, through that border control post.”;

- (c) after paragraph (1) there were inserted—

“(2) Live animals coming from a relevant third country may continue to enter Wales through any point of entry.

(3) Relevant goods (other than live animals) coming from the Republic of Ireland, which—

- (a) fall within the description in paragraph 1(a) of Schedule 5, or
- (b) fall within the description in paragraph 1(b) of Schedule 5 and have been cleared for free circulation under Union customs legislation,

may enter Wales through any point of entry.”.]

Textual Amendments

F28 Sch. 5 para. 4 substituted (30.4.2024) by The Official Controls (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/541), regs. 1, 14(4)(a) (with reg. 5)

Derogation from regulation 14: timing of notification of importation **E+W**

5.—[^{F29}(1) From 30th April 2024, subject to the derogation specified in sub-paragraphs (3C) and (3D), regulation 14(1) to (4) applies to relevant goods, as if—

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

- (a) in sub-paragraph (1), for the words from “notify through” to “border control post”, in the second place where it occurs, there were substituted “notify the competent authority in relation to Wales of the expected date of arrival of the consignment in Wales”;
- (b) in sub-paragraph (3) after “made”, there were inserted “through the appropriate computerised information management system”;
- (c) in sub-paragraph (4)—
 - (i) for the opening words, there were substituted—

“(4) In the case of a transhipment of products from a point of entry in Wales to another point of entry or border control post, the person responsible for the consignment must notify the competent authority of the destination of—”;
 - (ii) in paragraph (b), for “border control post at which” there were substituted “place at which, if required.”;

- F30(2)
- F30(3)
- F30(3A)
- F31(3B)

[
 F32(3C) In relation to [F33 relevant goods] entering Wales from the Republic of Ireland on or after 31st January 2024, the requirement that the goods be pre-notified before entry does not apply where the condition in sub-paragraph (3D) is met.

(3D) The condition is that the goods are qualifying Northern Ireland goods that, in the course of passing from Northern Ireland into Wales, have passed through the Republic of Ireland and have not passed through any other country or territory.]

- (4) For the purposes of this paragraph—
 - F34(a)
 - F35(b)

[“qualifying Northern Ireland goods” has the meaning given by regulation 3 of the
 F36(c) Definition of Qualifying Northern Ireland Goods (EU Exit) Regulations 2020.]

Textual Amendments	
F29	Sch. 5 para. 5(1) substituted (30.4.2024) by The Official Controls (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/541) , regs. 1, 14(4)(b)(i) (with reg. 5)
F30	Sch. 5 para. 5(2)-(3A) omitted (30.4.2024) by virtue of The Official Controls (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/541) , regs. 1, 14(4)(b)(ii) (with reg. 5)
F31	Sch. 5 para. 5(3B) omitted (31.1.2024) by virtue of The Official Controls (Extension of Transitional Periods) (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/20) , regs. 1(1), 6(3)(a)(ii)
F32	Sch. 5 para. 5(3C)(3D) inserted (31.1.2024) by The Official Controls (Extension of Transitional Periods) (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/20) , regs. 1(1), 6(3)(a)(iii)
F33	Words in Sch. 5 para. 5(3C) substituted (30.4.2024) by The Official Controls (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/541) , regs. 1, 14(4)(b)(iii) (with reg. 5)
F34	Sch. 5 para. 5(4)(a) omitted (30.4.2024) by virtue of The Official Controls (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/541) , regs. 1, 14(4)(b)(iv) (with reg. 5)
F35	Sch. 5 para. 5(4)(b) omitted (30.4.2024) by virtue of The Official Controls (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/541) , regs. 1, 14(4)(b)(iv) (with reg. 5)

F36 Sch. 5 para. 5(4)(c) inserted (31.1.2024) by *The Official Controls (Extension of Transitional Periods) (Miscellaneous Amendments) Regulations 2024* (S.I. 2024/20), regs. 1(1), **6(3)(a)(iv)**

Derogation from regulation 15: procedure on importation **E+W**

6.—(1) Regulation 15 does not apply to relevant goods but—

^{F37}(a) from 30th April 2024—

- (i) any identity and physical checks carried out on products may take place either at the point of entry into Wales or at the destination indicated in the importation document accompanying the consignment;
 - (ii) subject to the requirements of Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97, official controls in relation to live animals may take place at the destination indicated in the importation document accompanying the animals;
- (aa) the checks referred to in paragraph (a) must be carried out on a risk or random basis and at the appropriate frequency rate;
 - (ab) the operator responsible for a consignment of products must ensure that the consignment is presented for official controls at a reasonable time during the working day;
 - (ac) the competent authority, having carried out a documentary check and any necessary identity and physical checks on the consignment, may issue a CHED permitting entry;
 - (ad) where there are no legislative requirements relating to the consignment, the competent authority may issue a CHED where the importation of the consignment is authorised in accordance with the procedure specified in regulation 15(5) to (7);]
- (b) from 1 January 2021, relevant goods consisting of—

- (i) live animals or germinal products may not be imported into Wales unless they are accompanied by the appropriate health certificate for third country imports, in the form published by the Welsh Ministers or the Secretary of State;

^{F38}(ii)

[from 31st January 2024—

- ^{F39}(ba) (i) relevant goods consisting of products of animal origin may not be imported into Great Britain at any place in Wales unless they are accompanied by—
 - (aa) the appropriate health certificate for third country imports in the form published by the Welsh Ministers or the Secretary of State from time to time; or
 - (bb) where they meet the conditions in sub-paragraph (1A) or are listed in sub-paragraph (1B), relevant commercial documents which at least identify the premises of origin and destination and contain a description of the product and the quantity of the product; and
- (ii) relevant goods consisting of animal by-products or derived products may not be imported into Great Britain at any place in Wales unless they are accompanied by—
 - (aa) in the case of goods listed in column 1 of the table in Schedule 6 which are stated in the health certificate to be intended for the use (or use of a kind) mentioned in relation to those goods in column 2 of that table, the appropriate health certificate for third country imports in the form published by the Welsh Ministers or the Secretary of State from time to time; or

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

(bb) in any other case, relevant commercial documents which at least identify the premises of origin and destination and contain a description of the product and the quantity of the product.]

^{F40}(c)

[
^{F41}(1A) The conditions referred to in sub-paragraph (1)(ba)(i)(bb) are that they—

- (a) are shelf-stable at ambient temperature;
- (b) are securely packaged or sealed in clean containers; and
- (c) are not one of the following categories of goods—
 - (i) infant formula;
 - (ii) follow-on formula;
 - (iii) baby food;
 - (iv) food for special medical purposes;
 - (v) beeswax;
 - (vi) pollen;
 - (vii) propolis;
 - (viii) royal jelly; or
 - (ix) products derived from live bivalve molluscs, live echinoderms, live tunicates and live marine gastropods.

(1B) The products referred to in sub-paragraph (1)(ba)(i)(bb) are—

- (a) composite products listed in a document published by the Secretary of State under Article 3(1)(a) of Commission Decision 2007/275 or referred to in Article 4 of that Decision, except for products listed in sub-paragraph (1A)(c)(i) to (iv) and (ix);
- (b) dairy products or colostrum-based products that have been subject to a heat treatment referred to in point 2(1) of Chapter 2, Section 9 of Annex 3 to Regulation 853/2004, except for fresh milk and the products listed in sub-paragraph (1A)(c)(i) to (iv);
- (c) fresh fishery products or prepared fishery products that are—
 - (i) from wild freshwater or seawater animals of species other than of the *Scombridae*, *Clupeidae*, *Engraulidae*, *Coryfenidae*, *Pomatomidae*, or *Scombrosidae* families, and
 - (ii) either not live or non-viable;
- (d) gelatine;
- (e) collagen;
- (f) highly refined products of animal origin;
- (g) honey;
- (h) rendered animal fat;
- (i) greaves.]

(2) The documents described in sub-paragraph (1)(b) [^{F42}and (ba)]^{F43}... must accompany the consignment of the relevant goods concerned to its place of destination.

[^{F44}(3) in this paragraph—

[“appropriate frequency rate” has the meaning given by paragraph 2 of Annex 6 to the
^{F45}(za) Official Controls Regulation;]

- (a) “colostrum-based product” has the meaning given in point 2 of Section 9 of Annex 3 to Regulation 853/2004;
- (b) “collagen”, “dairy product”, “fishery product”, “fresh fishery products”, “gelatine” “greaves”, “prepared fishery products” and “rendered animal fat” have the meanings given in Annex 1 to Regulation (EC) 853/2004;
- (c) “highly refined products of animal origin” means the products listed in point 1 of Section 16 of Annex 3 to Regulation 853/2004;
- (d) “infant formula”, “follow-on formula”, “baby food” and “food for special medical purposes” have the meanings given in Article 2 of Regulation (EU) No 609/2013 of the European Parliament and of the Council on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control;
- (e) “non-viable” means they would no longer be able to survive as living animals if returned to the environment from which they were obtained;
- (f) Regulation 853/2004 means Regulation (EC) 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin;
- (g) “shelf-stable at ambient temperature” means they are not required to be transported or stored at controlled temperatures.]

Textual Amendments

- F37** Sch. 5 para. 6(1)(a)-(ad) substituted for Sch. 5 para. 6(1)(a) (30.4.2024) by The Official Controls (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/541), regs. 1, **14(4)(c)(i)** (with reg. 5)
- F38** Sch. 5 para. 6(1)(b)(ii) omitted (31.1.2024) by virtue of The Official Controls (Extension of Transitional Periods) (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/20), regs. 1(1), **6(3)(b)(i)**
- F39** Sch. 5 para. 6(1)(ba) inserted (31.1.2024) by The Official Controls (Extension of Transitional Periods) (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/20), regs. 1(1), **6(3)(b)(ii)**
- F40** Sch. 5 para. 6(1)(c) omitted (29.9.2021) by virtue of The Trade in Animals and Related Products (Wales) (Amendment) (EU Exit) (No. 3) Regulations 2021 (S.I. 2021/1094), regs. 1(2), **2(2)(b)(i)**
- F41** Sch. 5 para. 6(1A)(1B) inserted (31.1.2024) by The Official Controls (Extension of Transitional Periods) (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/20), regs. 1(1), **6(3)(c)**
- F42** Words in Sch. 5 para. 6(2) inserted (31.1.2024) by The Official Controls (Extension of Transitional Periods) (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/20), regs. 1(1), **6(3)(d)**
- F43** Words in Sch. 5 para. 6(2) omitted (29.9.2021) by virtue of The Trade in Animals and Related Products (Wales) (Amendment) (EU Exit) (No. 3) Regulations 2021 (S.I. 2021/1094), regs. 1(2), **2(2)(b)(ii)**
- F44** Sch. 5 para. 6(3) inserted (31.1.2024) by The Official Controls (Extension of Transitional Periods) (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/20), regs. 1(1), **6(3)(e)**
- F45** Sch. 5 para. 6(3)(za) inserted (30.4.2024) by The Official Controls (Miscellaneous Amendments) Regulations 2024 (S.I. 2024/541), regs. 1, **14(4)(c)(ii)** (with reg. 5)

Derogation from regulation 19(a): unchecked consignments **E+W**

7.—[

^{F46}(1)] Regulation 19(a) does not apply to relevant goods [^{F47}coming from a relevant third country] which have entered Wales through a point of entry other than a border control post in accordance with this Schedule.

[

^{F48}(2) An enforcement authority may seize any consignment which is removed from a point of entry in Wales without a CHED or without authorisation by the competent authority.

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

(3) An enforcement authority may seize any consignment which is transported from a point of entry in Wales to a destination other than that specified in the CHED.]

Textual Amendments

- F46** Sch. 5 para. 7 renumbered as Sch. 5 para. 7(1) (30.4.2024) by [The Official Controls \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/541\)](#), regs. 1, **14(4)(d)(i)** (with reg. 5)
- F47** Words in Sch. 5 para. 7(1) inserted (30.4.2024) by [The Official Controls \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/541\)](#), regs. 1, **14(4)(d)(ii)** (with reg. 5)
- F48** Sch. 5 para. 7(2)(3) inserted (30.4.2024) by [The Official Controls \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/541\)](#), regs. 1, **14(4)(d)(iii)** (with reg. 5)

Modification of regulation 20: action following failure of checks or seizure - products **E+W**

[^{F49}8.—(1) Regulation 20 applies as if—

(a) for paragraph (1) there were substituted—

“(1) This regulation applies, subject to paragraph (1A), in relation to any consignment of a product if any checks carried out show that the consignment does not comply with—

- (a) the requirements of these Regulations, as they have effect subject to the transitional modifications specified in Schedule 5; or
- (b) the rules referred to in Article 1(2) of the Official Controls Regulation.

(1A) This paragraph applies where—

- (a) there is non-compliance with the rules referred to in paragraph (1); and
- (b) the official veterinary surgeon or the official fish inspector (as appropriate) considers that the non-compliance is minor and technical and does not pose a risk to human, animal or plant health, or to the environment.

(1B) Where paragraph (1A) applies, paragraphs (2) and (3) apply as if for “must” there were substituted “may”.”;]

Textual Amendments

- F49** Sch. 5 para. 8 substituted (30.4.2024) by [The Official Controls \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/541\)](#), regs. 1, **14(4)(e)** (with reg. 5)

[^{F50}9. Modification of regulation 23: action following failure of checks or seizure - animals **E+W**

9. Regulation 23 applies as if, in paragraph (1)—

- (a) for “the checks at a border control post” there were substituted “checks”;
- (b) after “Official Controls Regulation” there were inserted “or, in the case of relevant goods, does not comply with the provisions of Schedule 5,]

Textual Amendments

- F50** Sch. 5 para. 9 substituted (30.12.2021) by [The Official Controls \(Extension of Transitional Periods and Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/1480\)](#), regs. 1(2), **2(4)**

Derogation from regulation 27: re-importation of animals and products **E+W**

10.—(1) Regulation 27 does not apply in the circumstances described in sub-paragraph (2).

(2) Products and live animals that originate from Wales and which have been rejected from entering the European Union at a European Union border control post are not required to re-enter Wales through a Welsh border control post if—

- (a) in the case of products and live animals that are not high risk, notification of the re-entry has been given to the Welsh Ministers or the Food Standards Agency;
- (b) in the case of products and live animals that are high risk, the re-entry has been authorised in writing by the Welsh Ministers or the Food Standards Agency before the re-entry is to take place.

(3) In this paragraph, “high risk” means the products or live animals are suspected of constituting a serious risk to human or animal health or animal welfare.

PART 3 **E+W**

Additional rules in relation to relevant goods consisting of live animals

Live animals **E+W**

11.—(1) This paragraph applies in relation to relevant goods consisting of live animals.

(2) The live animals must remain under restricted movement at the place of destination indicated in the health certificate until the completed and signed health certificate has been uploaded to the appropriate computerised information management system.

(3) The person responsible for the transportation of the live animals to the place of destination must be in possession of the appropriate authorisation in accordance with Council Regulation (EC) No 1/2005.]

[^{F51}SCHEDULE 6 **E+W** paragraph 6(1)(ba)(ii)(aa) of Schedule 5

Transitional import arrangements: animal by-products and derived products requiring a health certificate on importation

Textual Amendments

F51 Sch. 6 inserted (31.1.2024) by [The Official Controls \(Extension of Transitional Periods\) \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/20\)](#), reg. 1(1), [Sch. 2](#)

<i>Column 1</i>	<i>Column 2</i>
<i>Description of Product</i>	<i>Intended use in Great Britain</i>
Animal by-products	The manufacture of petfood other than raw petfood
Animal by-products	The manufacture of derived products for uses outside the feed chain
Apiculture by-products	Apiculture

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

<i>Column 1</i>	<i>Column 2</i>
<i>Description of Product</i>	<i>Intended use in Great Britain</i>
Untreated blood and blood products from equidae	Other than as feed material
Untreated blood products, excluding those from equidae	For the manufacture of derived products for uses outside the feed chain for farmed animals
Blood products	Feed material
Collagen	Feed material
Colostrum and colostrum products from bovine animals	Feed material
Dicalcium phosphate	Feed material
Dog chews	For pet animals
Egg products	Feed material
Fat derivatives	Feed material
Flavouring innards	Manufacture of petfood
Fish oil	Feed material
Untreated game trophies or other preparations from birds and ungulates consisting of entire anatomical parts	Other than as feed material
Gelatine	Feed material
Hydrolysed protein	Feed material
Milk, milk-based products and milk-derived products	Feed material
Pig bristles	Any lawful use
Processed animal protein	Feed material, other than petfood
Processed animal protein other than those derived from farmed insects, including mixtures and products other than petfood containing such protein	Other than as feed material
Raw petfood	Petfood
Rendered fats	Feed material
Trade samples	Trade samples
Tricalcium phosphate	Feed material
Untreated hides and skins of ungulates	Any lawful use]

Changes to legislation:

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