

**2011 No. 27**

**ANIMALS**

**The Animals and Animal Products (Import and Export)  
(Amendment) Regulations (Northern Ireland) 2011**

*Made* - - - - - *3rd February 2011*

*Coming into operation* - *28th February 2011*

The Department of Agriculture and Rural Development is a Department designated<sup>(a)</sup> for the purpose of making Regulations under section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to the common agricultural policy of the European Union.

The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006<sup>(c)</sup> (“the principal Regulations”) make provision for a purpose mentioned in that section and it appears to the Department of Agriculture and Rural Development that it is expedient for the references to the European Union instruments set out in the provisions of Schedules 2 and 6 of the principal Regulations substituted by these Regulations to be construed as references to that legislation as amended from time to time.

The Department of Agriculture and Rural Development makes these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972.

In accordance with section 56(1), (2) and (5) of the Finance Act 1973<sup>(d)</sup> the Department of Finance and Personnel consents to the making of these Regulations.

**Citation and commencement**

1. These Regulations may be cited as the Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2011 and shall come into operation on 28th February 2011.

**Interpretation**

2. The Interpretation Act (Northern Ireland) 1954<sup>(e)</sup> shall apply to these Regulations as it applies to an Act of the Assembly.

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(a) S. I. 2000/2812

(b) 1972 c. 68. Paragraph 1A was inserted into Schedule 2 by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51) and as amended by 2008 (c. 7)

(c) S.R. 2006 No. 401 as last amended by S.R. 2009 No. 86

(d) 1973 c. 51

(e) 1954 c. 33 (N.I.)

## **Amendment of the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006**

3. The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006 are amended in accordance with regulations 4 and 5.

### **Part I of Schedule 2**

4. For Part 1 of Schedule 2 substitute—

## **“PART I**

### **LEGISLATION IN RELATION TO INTRA-COMMUNITY TRADE**

#### **Bovine animals and swine**

1. Council Directive 64/432/EEC on health problems affecting intra-Community trade in bovine animals and swine(a).

#### **Bovine semen**

2. Council Directive 88/407/EEC laying down the animal health conditions applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species(b).

#### **Bovine embryos**

3. Council Directive 89/556/EEC on animal health conditions concerning intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species(c).

#### **Equidae**

4. Council Directive 90/426/EEC on health conditions governing the movement of equidae and their import from third countries(d).

5. Council Directive 90/427/EEC on the zootechnical and genealogical conditions governing intra-Community trade in equidae(e).

6. Commission Decision 2010/346/EU on protective measures with regard to equine infectious anaemia in Romania(f).

#### **Porcine semen**

7. Council Directive 90/429/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species(g).

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(a) O.J. No. L 121, 29.7.64, p.1977 – 2012 as last amended by Commission Decision 2009/976/EU (O.J. No. L 336, 18.12.2009, p.36)

(b) O.J. No. L 194, 22.7.98, p.10 as last amended by Council Directive 2008/73/EC (O.J. No. L 219, 14.8.2008, p.40)

(c) O.J. No. L 302, 19.10.89, p.1 as last amended by Council Directive 2008/73/EC

(d) O.J. No. L 224, 18.8.90, p.42 as last amended by Council Directive 2008/73/EC

(e) O.J. No. L 224, 18.8.90, p.55 as last amended by Council Directive 2008/73/EC

(f) O.J. No. L155, 22.6.2010, p. 48

(g) O.J. No. L 224, 18.8.90, p.62 as last amended by Council Directive (EC) 2008/73/EC

### **Poultry and hatching eggs**

8. Council Directive 2009/158/EC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs**(a)**.

### **Animal waste**

9. Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down rules concerning animal by-products not intended for human consumption**(b)**.

### **Fish**

10. Council Directive 2006/88/EC on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals**(c)**.

11. Directive 2004/41/EC of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC**(d)**.

12. Commission Regulation (EC) No. 1251/2008 implementing Council Decision 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species**(e)**.

### **Ovine and caprine animals**

13. Council Directive 91/68/EEC on animal health conditions governing intra-Community trade in ovine and caprine animals**(f)**.

### **Other animals, semen, ova and embryos**

14. Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Council Directive 90/425/EEC**(g)**.

### **Circuses and animal acts**

15. Commission Regulation (EC) No. 1739/2005 laying down animal health requirements for the movement of circus animals between member States**(h)**.

### **Pathogens**

16. Council Directive 92/118/EEC laying down animal and public health requirements governing trade in and imports into the Community of products not subject to the said

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- (a) O.J. No. L 343, 22.12.2009, p.74  
(b) O.J. No. L 273, 10.10.2002, p.1 as last amended by Council Regulation (EC) No 596/2009 (O.J. No. L 188, 18.7.2009, p. 14)  
(c) O.J. No. L 328, 24.11.2006, p.14 as last amended by Commission Directive 2008/53/EC (O.J. No. L 337, 16.12.2008, p. 94)  
(d) O.J. No. L 157, 30.4.2004, p.33 as corrected in O.J. No L 195, 2.6.2004, p.12  
(e) O.J. No. L 337, 16.12.2008, p.41 as last amended by Commission Regulation (EU) No. 346/2010 (O.J. No. L 104, 24.4.2010, p.1)  
(f) O.J. No. L 46, 19.2.91, p.19 as last amended by Council Directive 2008/73/EC (O.J. No L 219, 14.8.2008, p.40)  
(g) O.J. No. L 268, 14.9.92, p.54 as last amended by Commission Regulation (EU) No 176/2010 (O.J. No L 52, 3.3.2010, p.14)  
(h) O.J. No. L 279, 22.10.2005, p.47

requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC(a).

#### **Pure-bred animals of the bovine species**

17. Council Directive 2009/157/EC on pure-bred breeding animals of the bovine species(b).

#### **Breeding animals of the porcine species**

18. Council Directive 88/661/EEC on the zootechnical standards applicable to breeding animals of the porcine species(c).

#### **Pure-bred breeding sheep and goats**

19. Council Directive 89/361/EEC concerning pure-bred breeding sheep and goats(d).

#### **Bluetongue susceptible animals**

20. 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(e).

#### **Transmissible spongiform encephalopathies**

21. Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control, and eradication of certain transmissible spongiform encephalopathies(f).

22. Commission Decision 2007/453/EC establishing the BSE status of Member States or third countries or regions thereof according to the BSE risk(g).”.

### **Schedule 6**

5. For Schedule 6 substitute—

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- (a) O.J. No. L 62, 15.3.93, p.49 as last amended by Commission Regulation (EC) No 445/2004 (O.J. No L 72, 11.3.2004, p. 60)
  - (b) O.J. No. L 323, 10.12.2009, p.1
  - (c) O.J. No. L 382, 31.12.1988, p.36 as last amended by Council Directive 2008/73/EC (O.J. No L 219, 14.8.2003, p. 40).
  - (d) O.J. No. L 153, 6.6.1989, p.30 as last amended by Council Directive 2008/73/EC
  - (e) O.J. No. L 283, 27.10.2007, p.37 as last amended by Commission Regulation (EC) No 1156/2009 (O.J. No. L 313, 28.11.2009, p.59)
  - (f) O.J. No. L 147, 31.5.2001, p.1 as last amended by Commission Regulation (EC) No 220/2009 (O.J. No. L 87, 31.3.2009, p. 155)
  - (g) O.J. No. L 172, 30.6.2007, p.84 as last amended by Commission Decision 2009/830 (O.J. No. L 295, 12.11.2009, p.11)

EU LEGISLATION IN RELATION TO IMPORTS FROM THIRD  
COUNTRIES

PART I

INSTRUMENTS SPECIFYING THIRD COUNTRIES AND TERRITORIES  
IN THIRD COUNTRIES FROM WHICH MEMBER STATES MAY  
AUTHORISE CERTAIN IMPORTS

**Cloven-hoofed animals and elephants and zoo ungulates**

1. Commission Regulation (EC) No. 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the EU of certain animals and fresh meat and the veterinary certification requirements(a).

**Poultry**

2. Commission Regulation (EC) No. 798/2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements(b).

**Captive birds**

3. Commission Regulation (EC) No. 318/2007 of 23 March 2007 laying down animal health conditions for imports of certain birds into the Community and the quarantine conditions thereof(c).

**Shellfish and finfish**

4. Commission Regulation (EC) No. 1251/2008 implementing Council Decision 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species(d).

5. Commission Decision 2006/766/EC establishing the lists of third countries and territories from which imports of bivalve molluscs, echinoderms, tunicates, marine gastropods and fishery products are permitted(e).

**Bees**

6. Commission Regulation (EC) No. 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the EU of certain animals and fresh meat and the veterinary certification requirements(f).

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(a) O.J. No. L 73, 20.3.2010, p.1

(b) O.J. No. L 226, 23.8.2008, p.1 as last amended by Commission Regulation (EU) No 254/2010 (O.J. No. L 80, 26.3.2010, p. 1)

(c) O.J. No. L 84, 24.3.2007, p.7 as last amended by Commission Regulation (EC) No 239/2010 (O.J. No. L 75, 23.3.2010, p.18)

(d) O.J. No. L 337, 16.12.2008, p.41 as last amended by Commission Regulation (EC) No 719/2009 (O.J. No. L 205, 7.8.2009, p.10)

(e) O. J. No. L 320, 18.11.2006, p.53 last amended by Commission Decision 2009/951/EU (O.J. No. L 328, 15.12.2009, p.70)

(f) O.J. No. L 73, 20.3.2010, p.1

## **Equidae**

7. Commission Decision 2004/211/EC establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species(a).

8. Commission Decision 2010/57/EU laying down health guarantees for the transit of equidae being transported through the territories listed in Annex I to Council Directive 97/78/EC(b).

## **Cats, dogs and ferrets**

9. Commission Decision 2005/64/EC implementing Council Directive 92/65/EEC as regards import conditions for cats, dogs and ferrets for approved bodies, institutes or centres(c).

10. Commission Regulation (EU) No. 388/2010 implementing Council Regulation (EC) No. 998/2003 of the European Parliament and of the Council as regards the maximum number of pet animals of certain species that may be the subject of non-commercial movement(d)

# **PART II**

## **DETAILED PROVISIONS**

## **Cloven-hoofed animals and elephants and zoo ungulates**

1. Commission Regulation (EC) No. 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the EU of certain animals and fresh meat and the veterinary certification requirements(e).

## **Zoo ungulates**

2. Council Directive 2004/68/EC laying down health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 74/462/EEC(f).

## **General provisions for equidae**

3. Council Directive 90/426/EEC on health conditions governing the movement of equidae and their import from third countries(g).

4. Commission Decision 2004/211/EC establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species(h).

5. Council Directive 2009/156/EC on animal health conditions governing the movement and importation from third countries of equidae(i).

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(a) O.J. No. L 73, 11.3.2004, p.1 as last amended by Commission Decision 2009/624/EC (O.J. No. L 227, 29.8.2009, p. 7)

(b) O.J. No. L32, 4.2.2010, p.32

(c) O.J. No. L 27, 29.1.2005, p.48

(d) O.J. No. L 114, 7.5.2010, p. 3

(e) O.J. No. L 73, 20.3.2010, p.1

(f) O.J. No. L 139, 30.4.2004, p.321 as corrected in O.J. No L 226, 25.6.2004, p.128

(g) O.J. No. L 224, 18.8.1990, p. 42 as last amended by Council Directive 2006/104/EC, (O.J. No. L 363, 20.12.2006, p. 352)

(h) O.J. No. L 73, 11.3.2004, p.1 as last amended by Commission Decision 2009/624/EC (O.J. No. L 227, 29.8.2009, p. 7)

(i) O.J. No. L 192, 23.7.2010 p.1

### **Temporary admission of registered horses**

6. Commission Decision 92/260/EEC on animal health conditions and veterinary certification for temporary admission of registered horses(a).

### **Registered horses for racing etc, upon re-entry**

7. Commission Decision 93/195/EEC on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export(b).

### **Equidae for slaughter**

8. Commission Decision 93/196/EEC on animal health conditions and veterinary certification for imports of equidae for slaughter(c).

### **Registered equidae and equidae for breeding and production**

9. Commission Decision 93/197/EEC on animal health conditions and veterinary certification on imports of registered equidae and equidae for breeding and production(d).

### **Poultry**

10. Council Directive 2009/158/EC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs(e).

11. Commission Regulation (EC) No. 798/2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements(f).

### **Other specified animals, semen, ova and embryos**

12. Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Council Directive 90/425/EEC(g).

### **Captive birds**

13. Commission Regulation (EC) No. 318/2007 of 23 March 2007 laying down animal health conditions for imports of certain birds into the Community and the quarantine conditions thereof(h).

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(a) O.J. No. L 130, 15.5.1992, p.67 as last amended by Commission Regulation (EC) No. 1792/2006  
(b) O.J. No. L 86, 6.4.93, p.7 as last amended by Commission Regulation (EC) No. 1792/2006 (O.J. No L 362, 20.12.2006, p.1)  
(c) O.J. No. L 86, 6.4.93, p.7 as last amended by Commission Regulation (EC) No. 1792/2006  
(d) O.J. No. L 86, 6.4.93, p.16 as last amended by Commission Regulation (EC) No. 1792/2006  
(e) O.J. No. L 343, 22.12.2009, p.74  
(f) O.J. No. L 226, 23.8.2008, p.1 as last amended by Commission Regulation (EU) No. 254/2010 (O.J. No L 80, 26.3.2010, p. 1)  
(g) O.J. No. L 268, 14.9.92, p.54 as last amended by Commission Regulation (EU) 176/2010 (O.J. No L 52 3.3. 2010, p.14)  
(h) O.J. No L 84, 24.3.2007, p. 7 as last amended by Commission Regulation (EC) No. 1118/2009 (O.J. No. L 307, 21.11.2009, p.3)

### **Cats, dogs and ferrets**

14. Commission Decision 2005/64/EC implementing Council Directive 92/65/EEC as regards import conditions for cats, dogs and ferrets for approved bodies, institutes or centres(a).

15. Commission Regulation (EU) No. 388/2010 implementing Regulation (EC) No. 998/2003 of the European Parliament and of the Council as regards the maximum number of pet animals of certain species that may be the subject of non-commercial movement.

### **Live animals from New Zealand**

16. Commission Decision 2003/56/EC on health certificates for the importation of live animals and animal products from New Zealand(b).

### **Zootechnical conditions**

17. Council Directive 94/28/EC laying down the principles relating to the zootechnical and genealogical conditions applicable to imports from third countries of animals, their semen, ova and embryos, and amending Directive 77/504/EEC on pure-bred breeding animals of the bovine species(c).

### **Transmissible spongiform encephalopathies**

18. Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control, and eradication of certain transmissible spongiform encephalopathies(d).

19. Commission Decision 2007/453/EC establishing the BSE status of Member States or third countries or regions thereof according to the BSE risk(e).”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 3rd February 2011



*C. McMaster*

A senior officer of the Department of Agriculture and Rural Development

Sealed with the Official Seal of the Department of Finance and Personnel on 3rd February 2011



*Jack Layberry*

A senior officer of the Department of Finance and Personnel

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(a) O.J. No L 27, 29.1.2005, p.48  
(b) O.J. No L 22, 25.1.2003, p.38 as last amended by Commission Decision 2006/855/EC (O.J. No. L 338, 5.12.2006, p.45)  
(c) O.J. No L 178, 12.7.94, p.66 as amended by Council Directive 2008/73/EC (O.J. No. L 219, 14.8.2008, p.40)  
(d) O.J. No L 147, 31.5.2001, p.1 as last amended by Commission Regulation (EC) No. 220/2009  
(e) O.J. No L 172, 30.6.2007, p.84 as last amended by Commission Decision 2009/830/EC (O.J. No. L 295, 12.11.2009, p.11)



## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations replace Part I of Schedule 2 and Schedule 6 to the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006 (S.R. 2006 No. 401). The new Schedules incorporate a number of new and amended pieces of EU legislation that have come into force since those Regulations came into operation.

An Impact Assessment has not been produced for this instrument as no impact on private, voluntary or public sectors is foreseen.

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£5.75