

1995 No. 52

EUROPEAN COMMUNITIES

ANIMALS

**Animals and Animal Products (Import and Export)
Regulations (Northern Ireland) 1995***Made* 27th February 1995*Coming into operation* 10th April 1995

The Department of Agriculture, being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Economic Community, in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:

PART I

INTRODUCTION

Citation and commencement

1. These Regulations may be cited as the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 1995 and shall come into operation on 10th April 1995.

Interpretation

2.—(1) In these Regulations—

“border inspection post” shall be construed in accordance with regulation 16(1);

“dealer” means any person engaging in intra-Community trade to which Part II applies;

“Department” means the Department of Agriculture for Northern Ireland;

“equidae” means wild or domesticated animals of the equine (including zebras) or asinine species or the offspring or crossings of those species;

“export health certification” in relation to any animal or animal product means—

(a) S.I. 1972/1811

(b) 1972 c. 68

(a) where Part II applies, the documents required to accompany those animals or products by Article 3(1)(d) of Council Directive 90/425/EEC concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market(a); and

(b) where Part IV applies, the certification referred to in regulation 25;

“import” means brought into Northern Ireland by any means whatsoever;

“importer” in relation to any imported animal or animal product means any person who, whether as owner, consignor, consignee, agent or broker, is in possession of or in any way entitled to the custody or control of that animal or product;

“Member State” means any Member State of the European Communities other than the United Kingdom and does not include the Isle of Man or any of the Channel Islands;

“official veterinary surgeon” except in regulation 12, means a veterinary surgeon appointed by the Department for the purposes of these Regulations;

“ungulate” means any hoofed animal;

“veterinary inspector” means any person appointed by the Department.

(2) Any other expressions used in these Regulations have the meaning they bear in Council Directive 90/425/EEC and Council Directive 91/496/EEC laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries(b).

(3) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(4) Any reference in these Regulations to a Directive listed in Schedule 1 or 2 is a reference to that Directive as amended by the instruments listed in those Schedules as amending it.

(5) All notices served on any person under these Regulations:

(a) shall be in writing;

(b) may be made subject to such conditions as are specified therein; and

(c) may be amended, suspended or revoked by a further notice in writing served on the same person at any time.

(6) Any person on whom a notice is served under these Regulations shall comply with the requirements thereof.

(a) O.J. No. L224, 18.8.90, p. 29

(b) O.J. No. L268, 24.9.91, p. 56

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

Exception

3. These Regulations shall not apply in relation to veterinary checks on movements of pets (other than equidae) accompanied by and under the responsibility of a natural person, where such movements are not the subject of a commercial transaction.

PART II

INTRA-COMMUNITY TRADE

Application of Part II

4. This Part shall apply in relation to trade between Northern Ireland and any Member State in live animals and all animal products which are the subject of one or more of the Directives listed in Schedule 2 and which originate within the European Communities or are in free circulation therein except aquaculture products for human consumption which are the subject of Council Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products(a).

Exports

5.—(1) A person shall not export, or consign for export, to a Member State any animal or animal product which is the subject of one or more of the Directives listed in Schedule 2 unless—

- (a) it complies with the relevant provisions of those Directives (including any option permitted by those Directives which has been exercised by the Member State of destination) and any additional animal health requirements of legislation regulating imports into the Member State of destination;
- (b) when required by a Directive listed in Schedule 2 or by the Member State of destination, it is accompanied by export health certification signed by a veterinary inspector and any other document required by that Directive or the Member State of destination.

(2) If the Department has reasonable cause to suspect that a person in charge of any animal or animal product intends to export that animal or product in contravention of this regulation, it may, by notice served on the person appearing to it to be in charge of the animal or product, the consignor or his representative—

- (a) prohibit the exportation of that animal or animal product; and
- (b) require that person immediately to detain it at such place as may be specified in the notice and to take such other action in relation to it as may be so specified.

(3) In the event of a notice under paragraph (2) not being complied with, the Department may seize or cause to be seized any animal or animal product to which it relates, and arrange for the requirements of the notice to be complied with.

(a) O.J. No. L46, 19.2.91, p. 1

(4) The consignor, his representative and the person in charge of any animal or animal product shall be jointly and severally liable for the costs of any action taken in relation to that animal or product under this regulation.

(5) A person shall not export to a Member State, any animal which is subject to the requirements of Articles 7, 9 or 10 of 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 Annex A(I) to Directive 90/425/EEC(a) unless the animal originates on a holding which has been registered with the Department and the owner or person in charge of that holding has given undertakings in accordance with Article 4 of Council Directive 92/65/EEC.

Imports

6. A person shall not import from a Member State any animal or animal product which is the subject of one or more of the Directives listed in Schedule 2 unless it complies with the relevant provisions of that Directive, any additional requirements specified in relation thereto in Schedule 2 and any additional animal health requirements of legislation regulating imports into Northern Ireland.

Transport of animals and animal products

7.—(1) A person shall not transport any animal or animal product which is being exported to a Member State, or which is being imported from a Member State, to the address to which it is consigned, unless the animal or product is accompanied by export health certification.

(2) A person shall not deliver any animal or animal product imported from a Member State other than to the address specified in the export health certification which accompanies it unless required to do so by a notice served on him by the Department.

(3) If any animal or animal product imported from a Member State is delivered to an address other than the address specified in the export health certification which accompanies it, the Department may serve a notice on the person appearing to it to be in charge of the animal or product, the consignor or his representative requiring that person to transport the animal or product to the address specified in the export health certification.

(4) In the event of a notice under paragraph (3) not being complied with the Department may seize or cause to be seized any animal or animal product to which the notice relates and arrange for its requirements to be complied with.

(5) The consignor, his representative and the person in charge of any animal or animal product shall be jointly and severally liable for the cost of any action taken in relation to that animal or product under this regulation.

(a) O.J. No. L268, 14.9.92, p. 54

Registration of dealers

8.—(1) If required to do so by a notice served on him by the Department, a dealer shall register as such and shall give to the Department such undertakings as to compliance with these Regulations as shall be specified in the notice.

(2) Each dealer on whom a notice has been served under paragraph (1) shall keep a record of all consignments of animals and animal products delivered to him in the course of trade to which this Part applies and, where any such consignment is divided up or subsequently marketed by him, of the subsequent destination of the animals or products comprising it, and shall keep such records for 12 months from the date of delivery to him of the consignment.

(3) The requirements of paragraph (2) are without prejudice to the requirements of any other legislation requiring the keeping, or retention, of records in relation to any animal or animal product to which that paragraph applies.

Approval of bodies, institutes or centres

9.—(1) The Department shall, for the purposes of Articles 5 and 13 of Council Directive 92/65/EEC, approve any body, institute or centre (within the meaning of that Directive) which—

(a) complies with the requirements of Annex C to that Directive; and

(b) applies for that approval in accordance with paragraph (2).

(2) An application for approval under paragraph (1) shall be made in writing and shall be accompanied by all relevant supporting documents relating to the requirements of Annex C to Directive 92/65/EEC.

(3) The Department shall withdraw, suspend or restore any approval given under paragraph (1) in accordance with point 3 of Annex C to Directive 92/65/EEC.

Inspection and checking at destination

10.—(1) For the purpose of ensuring that where an animal or animal product is the subject of one or more of the Directives listed in Schedule 2, the relevant requirements of those Directives (including requirements as to documentation), any additional requirements specified in Schedule 2 and any additional requirements of legislation applicable to imports of those animals or products into Northern Ireland have been complied with, a veterinary inspector may at all reasonable times inspect at the address to which they have been consigned, any animal or animal product imported from a Member State.

(2) Where any animal or animal product is the subject of one or more of the Directives listed in Schedule 2 and has been imported from a Member State, then, in addition to the powers exercisable by him under paragraph (1), a veterinary inspector may inspect that animal or product and the accompanying documentation anywhere and at any time if he has any information leading him to suspect that the relevant requirements of those Directives, any additional requirements specified in Schedule 2 and any

additional requirements of legislation applicable to imports of those animals or products into Northern Ireland have not been complied with.

(3) Any powers conferred by regulation 29 shall only be exercised in accordance with this regulation in relation to an animal or animal product imported from a Member State until it reaches the address to which it has been consigned and at that place.

Duties on consignees

11.—(1) A person shall not accept delivery of a consignment of animals or animal products (other than the registered horses referred to in the third indent of Article 5(2)(a) of Council Directive 90/425/EEC) unless the Department has been notified, at least 24 hours in advance, of the anticipated date of delivery of that consignment, of its nature and of the address to which it is consigned.

(2) A consignee of animals and animal products imported from a Member State shall retain all documentation required by these Regulations to accompany the consignment for 12 months from the date of delivery of the consignment.

(3) The requirements of paragraph (2) are without prejudice to the requirements of any other legislation requiring the keeping, or retention, of records in relation to any animal or animal product to which that paragraph applies.

Duties on consignees relating to animals

12.—(1) Where an animal is consigned to a market or assembly point approved by the Department for the purposes of intra-Community trade under Part III of the Sales, Markets and Lairs Order (Northern Ireland) 1975(a), the district council or other person in charge of that market or assembly point shall ensure that no animal is admitted thereto unless it complies with Article 3(1) of Council Directive 90/425/EEC.

(2) Where any animal imported from a Member State is consigned to a slaughterhouse, the official veterinary surgeon for that slaughterhouse shall carry out such inspections as are necessary to discover whether the animal complies with Article 3(1) of Council Directive 90/425/EEC, and if it does not he shall, subject to paragraph (3), ensure that it is not slaughtered.

(3) If, in carrying out inspections under paragraph (2), an official veterinary surgeon establishes that any animal imported from a Member State is accompanied by incorrect documentation or cannot readily be identified, he shall by notice in writing served on the person appearing to him to have charge of the animal, either—

- (a) certify that it is fit to be slaughtered and used for its intended purpose;
or

- (b) require that the animal be slaughtered and destroyed or re-exported, in either case at the expense of the importer.
- (4) Where a person markets any animal consigned to him from a Member State, or divides up any consignment of such animals for distribution or marketing and paragraphs (1) and (2) do not apply in relation to such animals he shall—
- (a) check, before the consignment is divided up or marketed, that any animal which is the subject of one or more of the Directives listed in Schedule 2 complies with the provisions of those Directives, which relate to identification marks and accompanying documentation;
 - (b) forthwith notify the Department of any irregularity or anomaly in that identification or documentation; and
 - (c) if there is a breach of Article 3(1)(d) of Council Directive 90/425/EEC in relation to any such animal, isolate it until the Department has either—
 - (i) authorised its release in writing; or
 - (ii) served a notice under regulation 13(2) in relation to it.
- (5) In this regulation “official veterinary surgeon” in relation to any slaughterhouse means the person appointed by the Department for the purposes of supervising that slaughterhouse.

Illegal consignments

13.—(1) If the Department knows of, or suspects the presence of, agents responsible for a disease referred to in Schedule 3 or a zoonosis, disease or any cause likely to constitute a serious hazard to public or animal health, in an animal or animal product imported from a Member State, or that that animal or product has come from a region contaminated by an epizootic disease, it may by notice served on the person appearing to it to have charge of that animal or product, the consignor or his representative, require that person—

- (a) immediately to detain it (and, in the case of an animal keep it isolated from any other animals) at such place as may be specified in the notice and to take such other action in relation to it as may be so specified for the purpose of preventing the introduction or spreading of a zoonosis, disease or anything which constitutes a serious hazard to public or animal health into or within Northern Ireland;
 - (b) in the case of an animal, without delay, to slaughter it, or slaughter and destroy it, or cause it to be slaughtered or slaughtered and destroyed in accordance with such conditions as may be specified in the notice; or
 - (c) in the case of an animal product, destroy it or cause it to be destroyed, in accordance with such conditions as may be specified in the notice.
- (2) Subject to paragraph (3), if the Department knows or suspects that any animal or animal product imported from any Member State does not comply with the provisions of Article 3 of Council Directive 90/425/EEC, it may, by a notice served on the person appearing to it to be in charge of the animal or product, the consignor thereof or his representative, if animal health

and welfare considerations so permit, give the person appearing to it to be in charge of the animal or product, the consignor thereof or his representative, the choice of—

- (a) where the cause of non-compliance is the presence in the animal or product concerned of a level of residues in excess of that permitted by any legislation, maintenance of the animal or product under supervision until the provisions of all such legislation on residues are complied with and, in the event of a continuing failure to comply with that legislation, application of the measures provided for therein; or
- (b) slaughtering the animal or destroying the product in accordance with such conditions as may be specified in the notice; or
- (c) returning the animal or product to the Member State of dispatch, with the authorisation of the competent authority of that Member State and with prior notification to any Member State of transit.

(3) If the only way in which any animal or product to which paragraph (2) relates fails to comply with the provisions of Council Directive 90/425/EEC referred to in that paragraph is absence of, or irregularity in, documentation, the Department shall not cause the animal or product to be returned to the country of dispatch unless it gives the person appearing to it to be in charge of the animal or product, the consignor thereof, or his representative, a notice requiring him to produce the correct documentation within 7 days and where such a notice is given the person in charge of the animal or product, the consignor or his representative shall, until the expiry of that period, detain the animal or product to which it relates in accordance with such conditions as may be specified in the notice.

(4) In the event of a notice under this regulation not being complied with the Department may seize or cause to be seized any animal or animal product to which it relates, and arrange for the requirements of the notice to be complied with.

(5) The consignor, his representative and the person in charge of any animal or animal product shall be jointly and severally liable for the costs of any action taken in relation to that animal or product under this regulation.

PART III

THIRD COUNTRY TRADE

Application

14. This Part shall apply in relation to imports—

- (a) from any place outside the European Communities, of any animal;
- (b) from any place inside the European Communities, of any animal originating outside those Communities and in respect of which all the checks provided for in Council Directive 91/496/EEC have not been carried out in accordance with that Directive.

Imports

15.—(1) A person shall not import any ungulates.

(2) A person shall not import any other animal either—

- (a) for use in Northern Ireland or for re-export to a Member State, Great Britain, the Isle of Man or any of the Channel Islands, unless the conditions set out in Article 5 of Council Directive 91/496/EEC and any additional animal health requirements of legislation regulating imports into Northern Ireland have been complied with; or
 - (b) for immediate re-export, either directly or indirectly, outside the European Communities unless such transit has been previously authorised in writing by the Department and the conditions set out in Article 9 of Council Directive 91/496/EEC have been complied with.
- (3) A person shall not import any animal which is the subject of a Directive listed in Schedule 4 except in accordance with the relevant provisions of that Directive, including any options exercised by the Department thereunder and any additional animal health requirements of legislation regulating imports into Northern Ireland.
- (4) A person shall not import any animal which is subject to a Decision listed in Schedule 4 from a country referred to in that Decision except in accordance with the relevant provisions of that Decision, including any options exercised by the Department thereunder.

16.—(1) Subject to paragraph (3) a person shall not import any animal (other than ungulates) except at the border inspection post at Belfast International Airport (“the border inspection post”) and after having given not less than one working day’s written notice in accordance with paragraph (2) of his intention to do so.

(2) The notice given under paragraph (1) shall specify the number of animals intended to be imported, their nature and the estimated time of their arrival at the border inspection post.

(3) A person may import any animal which is subject to the Rabies (Importation of Dogs, Cats and other Mammals) Order (Northern Ireland) 1977(a) at any place permitted under that Order.

Illegal consignments

17.—(1) Where an animal is imported in contravention of regulation 15(1) or 16(1) the Department may, by notice in writing, require the person appearing to it to be in charge of the animal, the consignor, or his representative, to detain and isolate the animal in accordance with the requirements specified in the notice.

(2) The Department shall cause to be carried out an examination of any animal to which a notice under paragraph (1) relates and following that examination shall, by means of a further notice served on the person appearing to it to be in charge of the animal, the consignor or his representative—

- (a) require the animal to be brought to the place specified in the notice;
- (b) require the animal to be slaughtered or slaughtered and destroyed or re-exported outside the European Communities; or
- (c) revoke the notice given under paragraph (1).

(a) S.R. 1977 No. 113 to which there are amendments not relevant to the subject matter of these Regulations

(3) In the event of a notice under this regulation not being complied with, the Department may seize or cause to be seized any animal to which it relates and arrange for the requirements of the notice to be complied with.

(4) The consignor, his representative and the person in charge of any animal shall be jointly and severally liable for the costs of any action taken in relation to that animal under this regulation.

Procedure for import directly into Northern Ireland

18.—(1) Where an animal is imported in accordance with this Part, the importer or his agent shall convey it—

- (a) directly to the border inspection post examination area; or
- (b) where the Community Instruments listed in Schedule 4 or the animal health requirements of any legislation regulating imports into Northern Ireland so require, to a quarantine centre as provided for in the second indent of the first sub-paragraph of Article 10(1) of Council Directive 91/496/EEC.

(2) A person shall not remove any animal to which this regulation applies from a quarantine centre or the border inspection post unless there has been provided by the official veterinary surgeon a certificate, in the form required under Council Directive 91/496/EEC, confirming that all the necessary checks have been carried out to his satisfaction in accordance with Articles 4(1), 4(2)(a), (b) and (d), 8 and 9 of that Directive.

(3) A person shall not remove any animal to which this regulation applies from customs temporary storage arrangements unless—

- (a) the certificate referred to in paragraph (2) has been provided to Customs and Excise;
- (b) the removal of the animal has been authorised by Customs and Excise; and
- (c) the animal is conveyed direct to the address specified in the export health certification or to some other place required by a notice served on him by the Department.

(4) Where a check carried out in accordance with Council Directive 91/496/EEC involves the taking of a sample from an animal for testing and the test result is not immediately available, the Department may, by notice served on the owner, his representative or the person in charge of the animal—

- (a) release that animal from the border inspection post; and
- (b) require that person to keep the animal in accordance with such conditions as may be specified in the notice until such time as the test results are available.

(5) Any reference in regulation 20(1) or 21(1) to a consignment of animals includes such a consignment which has been released from the border inspection post pursuant to paragraph (4).

Payment of fees

19. The Department shall not authorise the release of an animal from a quarantine centre or the border inspection post unless it is satisfied that all

veterinary checks for which a charge is made have been paid for, and that, where relevant, a deposit covering any cost provided for in Article 9(1)(a), 9(2), the second and third indents of Article 10(1), Article 10(6) and Article 12(2) of Council Directive 91/496/EEC has been lodged.

Consignments constituting a danger to health

20.—(1) Where checks carried out at a quarantine centre or the border inspection post reveal that a consignment of animals is likely to constitute a danger to animal or human health the Department shall immediately seize and destroy the consignment.

(2) The costs of any action taken under paragraph (1) in relation to any consignment shall be payable by the importer thereof or his representative.

Consignments not complying with health checks

21.—(1) Where checks carried out at a quarantine centre or the border inspection post on any consignment of animals reveal that any animal in that consignment does not comply with Article 5 of Council Directive 91/496/EEC, the Department shall, subject to regulation 20(1), by notice served on the person appearing to it to have charge of the consignment, the consignor or his representative, require that person to—

- (a) place the consignment in quarantine or isolate it at such place as may be specified in the notice, and to take such other action in relation to the animals comprising the consignment as may be necessary for the purpose of preventing the introduction or spreading of disease into or within Northern Ireland;
- (b) re-dispatch the animal outside the territory of the European Communities, where animal health or welfare considerations so permit, within such period as may be specified in the notice; or
- (c) in the case of any animals comprising the consignment which are not in a fit state to continue their journey, shelter, feed and water and, if necessary, treat those animals.

(2) Before serving any notice under paragraph (1) in relation to any consignment of animals the Department shall consult the importer thereof or his representative or the person appearing to be in charge of the animals.

(3) If any animal is re-dispatched in accordance with paragraph (1)(b) the Department shall cancel the veterinary certificate or document accompanying it.

(4) If in the opinion of the Department re-dispatch of any animal in accordance with paragraph (1)(b) is not appropriate, in particular for reasons of the welfare of the animal, it may by notice served on the person appearing to it to have charge of the animal—

- (a) if the animal can be slaughtered for human consumption in accordance with all the relevant legislation, authorise such slaughter after ante-mortem examination has been carried out in relation to it; or
- (b) if the animal cannot be so slaughtered, require its slaughter, for purposes other than human consumption, or its destruction.

(5) A notice under paragraph (4)(b) may specify conditions for controlling the use of the products obtained from any animal slaughtered in pursuance of that notice.

(6) In the event of a notice under this regulation not being complied with the Department may seize or cause to be seized any animal to which it relates and arrange for the requirements of the notice to be complied with.

(7) The importer of any animal and his representative shall be jointly and severally liable for the costs of any action taken in relation to that animal under this regulation.

Arrival at place of destination

22. On arrival at the address to which it has been consigned, any animal for breeding and production imported in accordance with this Part shall be detained at that place by the person having control of those premises and he shall not release it from those premises unless authorised to do so in writing by the Department.

Post-import controls

23.—(1) Where the Department knows or suspects that any animal kept at a place other than a quarantine centre or border inspection post has been imported in contravention of this Part or where it is in doubt as to the identity of any such animal, it may carry out such veterinary checks on that animal as it deems appropriate.

(2) If the checks referred to in paragraph (1) confirm that an animal which has been imported does not comply with Article 5 of Council Directive 91/496/EEC the provisions of regulation 21 shall apply in relation to that animal as if it was at the border inspection post.

PART IV

IMPORTS WHERE CHECKS HAVE BEEN CARRIED OUT ELSEWHERE IN THE COMMUNITY

Application

24. This Part shall apply in relation to any animal imported from a Member State, Great Britain, the Isle of Man or any of the Channel Islands which originated outside the European Communities and in respect of which all the checks required under Council Directive 91/496/EEC have been carried out in accordance with that Directive.

Imports

25. A person shall not import any animal from a Member State, Great Britain, the Isle of Man or any of the Channel Islands unless it is accompanied by a certificate of examination and the authenticated copy of the original health certificate issued at the point of importation into the Community under Article 7(1) of Council Directive 91/496/EEC.

Import procedure

26. The provisions of regulations 7 to 13, 15(3) and (4), 22 and 23 shall apply in relation to the import of an animal to which this Part applies as if—

- (a) for the references in regulations 12(2) and 13(2) to Article 3 of Council Directive 90/425/EEC there were substituted references to the animal health requirements of legislation regulating imports to which this Part applies; and
- (b) for references in regulations 22 and 23 to Part III there were substituted references to this Part.

PART V

GENERAL

Outbreaks of disease in other countries

27.—(1) This regulation shall apply where the Department learns of or has reasonable grounds to suspect, either under the procedures set out in Article 10 of Council Directive 90/425/EEC or Article 18 of Council Directive 91/496/EEC, or through any other means, the presence in any country outside the United Kingdom of a disease referred to in Schedule 3, a zoonosis or any other disease or cause liable to constitute a serious hazard to public or animal health.

(2) In the circumstances described in paragraph (1) the Department may, for the purpose of preventing the introduction or spreading into or within Northern Ireland of any zoonosis, disease or anything which constitutes a serious hazard to public or animal health, by a declaration to be published in such manner as it thinks fit, give notice of the existence thereof in another country, the area subject to the outbreak and the types of animal or animal product affected.

(3) A declaration made under this regulation may specify conditions under which any animal or animal product which is the subject of the declaration may be imported.

(4) Upon a declaration being made under this regulation, the entry into Northern Ireland of any animal or animal product which is the subject of the declaration shall be in breach of the conditions of import in these Regulations unless it complies with the conditions (if any) specified in the declaration.

Notification of decisions

28. If the consignor or the importer of any animal or animal product intended to be imported, or his representative, so requests, any decision taken under these Regulations refusing importation or varying the conditions of importation shall be forwarded to him in writing, giving the reasons for the decision, and the details of his rights to challenge the decision, including the relevant time limits.

Powers of veterinary inspectors

29.—(1) Subject to regulation 10 (including that regulation as applied by regulation 26), a veterinary inspector shall, on producing, if required to do so, a duly authenticated document showing his authority, have the right at all reasonable hours to enter any premises for the purposes of ascertaining whether there is or has been on the premises any contravention of these Regulations.

(2) A veterinary inspector shall have powers to carry out all checks and examinations necessary for the enforcement of Council Directive 90/425/EEC and Council Directive 91/496/EEC, and in particular may—

- (a) carry out inspections of any processes used for the marking and identification of any animal, any premises and any installation;
- (b) carry out checks on whether persons on any premises are complying with the requirements of the Directives listed in Schedule 2 relating to animal products;
- (c) take samples (and, if necessary, send the samples for laboratory testing) from—
 - (i) any animal held with a view to being sold, put on the market or transported;
 - (ii) any animal product held with a view to being stored or sold, put on the market or transported;
 - (iii) any animal or animal product being transported in the course of intra-Community trade;
 - (iv) any animal or animal product imported from a Member State at its place of destination;
- (d) examine documentary or data processing material relevant to the checks carried out under these Regulations;
- (e) take with him a representative of the European Commission, who is acting for the purposes of Council Directives 90/425/EEC or 91/496/EEC.

(3) Without prejudice to any other provision in these Regulations relating to the recovery of costs, the person in charge of any animal or animal product shall be liable for any reasonable expenses arising out of or in connection with the exercise in relation to that animal or product of any power conferred by the Regulations on a veterinary inspector.

(4) In this regulation “premises” includes any place, installation, vehicle, container, ship, vessel, boat, craft, hovercraft or aircraft.

Obstruction

30.—(1) A person shall not—

- (a) intentionally obstruct any person acting in the execution of these Regulations;
- (b) without reasonable cause, fail to give to any person acting in the execution of these Regulations any assistance or information which that person may reasonably require of him for the purposes of his functions under these Regulations; or

(c) furnish to any person acting in the execution of these Regulations any information which he knows to be false or misleading.

(2) Nothing in paragraph (1)(b) shall be construed as requiring any person to answer any question or give any information if to do so might incriminate him.

Penalties

31.—(1) A person who contravenes regulation 30(1)(a) or (b) shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or to both.

(2) A person who contravenes any other provision of these Regulations shall be guilty of an offence and liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment not exceeding three months or to both;

(b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

Disapplication of provisions

32. The statutory provisions listed in column 2 of Schedule 5 shall not apply in relation to—

(a) trade between Northern Ireland and a Member State in animals and animal products subject to one or more of the Directives listed in Schedule 2;

(b) imports of animals to which a Decision listed in Schedule 4 applies from the country referred to in that Decision,

to the extent specified opposite thereto in column 3.

Revocations

33. Article 5(1) of the Rabbits and Hares (Control of Importation) Order (Northern Ireland) 1967(a) and the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 1993(b) are hereby revoked.

Sealed with the Official Seal of the Department of Agriculture on 27th February 1995.

(L.S.)

P. T. Toal

Assistant Secretary

(a) S.R. 1967 No. 294

(b) S.R. 1993 No. 305

Amendments to Directives

1. Council Directive 90/425/EEC has been amended by, and must be read subject to:

- Council Directive 90/539/EEC (O.J. No. L303, 31.10.90, p. 6);
- Council Directive 90/667/EEC (O.J. No. L363, 27.12.90, p. 51);
- Council Directive 90/675/EEC (O.J. No. L373, 31.12.90, p. 1);
- Council Directive 91/67/EEC (O.J. No. L46, 19.2.91, p. 1);
- Council Directive 91/68/EEC (O.J. No. L46, 19.2.91, p. 19);
- Council Directive 91/174/EEC (O.J. No. L85, 5.4.91, p. 37);
- Council Directive 91/496/EEC (O.J. No. L268, 24.9.91, p. 56);
- Council Directive 91/628/EEC (O.J. No. L340, 11.12.91, p. 17);
- Council Directive 92/60/EEC (O.J. No. L268, 14.9.92, p. 75);
- Council Directive 92/65/EEC (O.J. No. L268, 14.9.92, p. 54);
- Council Directive 92/118/EEC (O.J. No. L62, 15.3.93, p. 49);
- Commission Decision 93/444/EEC (O.J. No. L208, 19.8.93, p. 34);
- Commission Decision 94/338/EC (O.J. No. L151, 17.6.94, p. 36);
- Commission Decision 94/339/EC (O.J. No. L151, 17.6.94, p. 38).

2. Council Directive 91/496/EEC has been amended by, and must be read subject to:

- Council Directive 91/628/EEC (O.J. No. L340, 11.12.91, p. 17);
- Commission Decision 92/424/EEC (O.J. No. L232, 14.8.92, p. 34);
- Commission Decision 92/432/EEC (O.J. No. L237, 20.8.92, p. 29);
- Council Decision 92/438/EEC (O.J. No. L243, 25.8.92, p. 27);
- Commission Decision 92/527/EEC (O.J. No. L332, 18.11.92, p. 22);
- Commission Decision 94/24/EC (O.J. No. L18, 21.1.94, p. 16);
- Commission Decision 94/467/EC (O.J. No. L190, 26.7.94, p. 28).

Measures to be complied with**I. VETERINARY LEGISLATION****Bovine animals and swine**

1. Council Directive 64/432/EEC of 26th June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine;

O.J. No. 121, 29.7.64, p. 1977 (Special Edition 1963-64, p. 164), as amended by and as read with:

Council Directive 66/600/EEC (O.J. No. 192, 23.10.66, p. 3294; Special Edition 1965-66, p. 234);

Council Directive 71/285/EEC (O.J. No. L175, 9.8.71, p. 1; Special Edition 1971 (II), p. 649);

The Act of Accession to the European Communities of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland (O.J. No. L73, Special Edition, 27.3.72);

Council Directive 73/150/EEC (O.J. No. L172, 28.6.73, p. 18);

Council Directive 77/98/EEC (O.J. No. L26, 31.1.77, p. 81);

Council Directive 79/109/EEC (O.J. No. L29, 3.2.79, p. 20);

The Act concerning the conditions of accession of the Hellenic Republic to the European Communities (O.J. No. L291, 19.11.79, p. 17);

Council Directive 79/111/EEC (O.J. No. L29, 3.2.79, p. 26);

Council Directive 80/219/EEC (O.J. No. L47, 21.2.80, p. 25);

Council Directive 80/1098/EEC (O.J. No. L325, 1.12.80, p. 11);

Council Directive 80/1274/EEC (O.J. No. L375, 31.12.80, p. 75);

Council Directive 82/61/EEC (O.J. No. L29, 6.2.82, p. 13);

Council Directive 83/642/EEC (O.J. No. L358, 22.12.83, p. 41);

Council Directive 84/643/EEC (O.J. No. L339, 27.12.84, p. 27);

Council Directive 84/644/EEC (O.J. No. L339, 27.12.84, p. 30);

Council Directive 85/320/EEC (O.J. No. L168, 28.6.85, p. 36);

Council Directive 85/586/EEC (O.J. No. L372, 31.12.85, p. 44);

Council Regulation 3768/85/EEC (O.J. No. L362, 31.12.85, p. 8);

Council Decision 87/231/EEC (O.J. No. L99, 11.4.87, p. 18);

Council Directive 87/489/EEC (O.J. No. L280, 3.10.87, p. 28);

Council Directive 88/406/EEC (O.J. No. L194, 22.7.88, p. 1);

Council Directive 89/360/EEC (O.J. No. L153, 6.6.89, p. 29);

Council Directive 89/662/EEC (O.J. No. L395, 30.12.89, p. 13);

Commission Decision 90/208/EEC (O.J. No. L108, 28.4.90, p. 102);

Council Directive 90/422/EEC (O.J. No. L224, 18.8.90, p. 9);

Council Directive 90/423/EEC (O.J. No. L224, 18.8.90, p. 13);

Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);

Commission Decision 91/52/EEC (O.J. No. L34, 6.2.91, p. 12);
Commission Decision 91/56/EEC (O.J. No. L35, 7.2.91, p. 29);
Council Directive 91/499/EEC (O.J. No. L268, 24.9.91, p. 107);
Council Directive 91/687/EEC (O.J. No. L377, 31.12.91, p. 16);
Council Directive 92/65/EEC (O.J. No. L268, 14.9.92, p. 54);
Council Directive 92/102/EEC (O.J. No. L355, 5.12.92, p. 32);
Commission Decision 93/24/EEC (O.J. No. L16, 25.1.93, p. 18);
Commission Decision 93/42/EEC (O.J. No. L16, 25.1.93, p. 50);
Commission Decision 93/341/EEC (O.J. No. L136, 5.6.93, p. 47);
Commission Decision 93/664/EC (O.J. No. L303, 10.12.93, p. 27);
Council Directive 94/42/EC (O.J. No. L201, 4.8.94, p. 26);
Commission Decision 94/163/EC (O.J. No. L72, 16.3.94, p. 20);
Commission Decision 94/474/EC (O.J. No. L194, 29.7.94, p. 96);
Commission Decision 94/887/EC (O.J. No. L352, 31.12.94, p. 112).

Relevant provisions: Articles 3.2 to 3.7, 3.10, 4, 4(a) to (b), 6, 9(a).

- (a) The official health certificate accompanying all swine imported into Northern Ireland from Spain must contain the statement "Pigs complying with Commission Decision 94/887/EC of 21st December 1994 derogating from prohibitions relating to African swine fever for certain areas in Spain".
- (b) The official health certificate accompanying all cattle exported from Northern Ireland must contain the statement "They are animals in accordance with Commission Decision 94/474/EC of 27th July 1994 concerning bovine spongiform encephalopathy".
- (c) The official health certificate accompanying all cattle imported into Northern Ireland from Spain must contain the statement "Live cattle in accordance with Commission Decision 90/208/EEC of 18th April 1990 on contagious bovine pleuro-pneumonia".
- (d) The official health certificate accompanying all cattle imported into Northern Ireland from Portugal must contain the statement "Live cattle in accordance with Commission Decision 91/52/EEC of 14th January 1991 on contagious bovine pleuro-pneumonia".
- (e) The official health certificate accompanying all cattle imported into Northern Ireland from Italy must contain the statement "Live cattle in accordance with Commission Decision 91/56/EEC of 21st January 1991 on contagious bovine pleuro-pneumonia".
- (f) The official health certificate accompanying all swine exported from Northern Ireland to Denmark and those regions of France specified in Commission Decision 93/341/EEC, Commission Decision 93/664/EC and Commission Decision 94/163/EC (which amend Commission Decision 93/24/EEC concerning additional guarantees relating to Aujeszky's Disease for pigs destined for Member States or regions free from the disease), must contain the statement "Pigs in accordance with Commission Decision 93/24/EEC of 11th December 1992 concerning Aujeszky's disease. In the case of pigs for breeding, the test used was the whole virus ELISA/ELISA for gl antibodies (delete where applicable)".

- (g) The official health certificate accompanying all cattle exported from Northern Ireland to Denmark must contain the statement "Bovines in accordance with Commission Decision 93/42/EEC of 21st December 1992 concerning infectious bovine rhinotracheitis for bovines being sent to Denmark".

Bovine semen

2. Council Directive 88/407/EEC of 14th June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species;

O.J. No. L194, 22.7.88, p. 10 as amended by:

Council Directive 90/120/EEC (O.J. No. L71, 17.3.90, p. 37);

Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);

Council Directive 93/60/EEC (O.J. No. L186, 28.7.93, p. 28).

Relevant provisions: Articles 3, 4.1 and 6.

Bovine embryos

3. Council Directive 89/556/EEC of 25th September 1989 on animal health conditions concerning intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species;

O.J. No. L302, 19.10.89, p. 1 as amended by and as read with:

Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);

Commission Decision 92/290/EEC (O.J. No. L152, 4.6.92, p. 37);

Council Directive 93/52/EEC (O.J. No. L175, 19.7.93, p. 21);

Commission Decision 94/113/EC (O.J. No. L53, 24.2.94, p. 23).

Relevant provisions: Articles 3 and 6

The official health certificate accompanying all embryos of domestic animals of the bovine species exported from Northern Ireland must contain the statement "Embryos in accordance with Commission Decision 92/290/EEC of 14th May 1992 concerning bovine spongiform encephalopathy" (O.J. No. L152, 4.6.92, p. 37).

Equidae

4. Council Directive 90/426/EEC of 26th June 1990 on animal health conditions governing the movement and import from third countries of equidae;

O.J. No. L224, 18.8.90, p. 42, which was amended by, and must be read subject to:

Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);

Council Directive 91/496/EEC (O.J. No. L268, 24.9.91, p. 56);

Council Directive 92/36/EEC (O.J. No. L157, 10.6.92, p. 28);

Commission Decision 92/130/EEC (O.J. No. L47, 22.2.92, p. 26).

Relevant provisions: Articles 4, 5, 7.1 to 7.2 and 8.

The requirements of Articles 4.1, 4.2 and 8 of Council Directive 90/426/EEC shall not apply in respect of the export to or the import from the Republic of Ireland of any equidae, or the export to or the import from France of registered horses accompanied by an identification document provided for in Council Directive 90/427/EEC of 26th June 1990 (O.J. No. L224, 18.8.90, p. 55).

Porcine semen

5. Council Directive 90/429/EEC of 26th June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species;

O.J. No. L224, 18.8.90, p. 62.

Relevant provisions: Articles 3, 4.1 to 4.2 and 6.1.

The official health certification accompanying all porcine semen imported into Northern Ireland from any Member State must state that the semen was collected from boars "on a collection centre which only contains animals that have not been vaccinated against Aujeszky's disease and which have reacted negatively to the serum neutralisation test or to the ELISA test for Aujeszky's disease, in accordance with the provisions of Council Directive 90/429/EEC" and paragraph 13(b)(ii) of the model health certificate provided in Annex D of Council Directive 90/429/EEC must be deleted in all cases.

Poultry and hatching eggs

6. Council Directive 90/539/EEC of 15th October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of poultry and hatching eggs;

O.J. No. L303, 31.10.90, p. 6 as amended by and as read with:

Council Directive 91/494/EEC (O.J. No. L268, 24.9.91, p. 35);

Council Directive 91/496/EEC (O.J. No. L268, 24.9.91, p. 56);

Council Directive 92/65/EEC (O.J. No. L268, 14.9.92, p. 54);

Commission Decision 92/340/EEC (O.J. No. L188, 8.7.92, p. 34);

Commission Decision 92/369/EEC (O.J. No. L195, 14.7.92, p. 25);

Council Directive 93/120/EC (O.J. No. L340, 31.12.93, p. 35).

Relevant provisions: Articles 6 to 11, 12.1 and 15 to 17.

Animal waste

7. Council Directive 90/667/EEC of 27th November 1990 laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feeding stuffs of animal or fish origin;

O.J. No. L363, 27.12.90, p. 51.

Relevant provisions: Articles 3 and 5.

Aquaculture animals and products

8. Council Directive 91/67/EEC of 28th January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products;

O.J. No. L46, 19.2.91, p. 1 as read with:

Commission Decision 92/528/EEC (O.J. No. L332, 18.11.92, p. 25);

Commission Decision 92/538/EEC (O.J. No. L347, 28.11.92, p. 67);

Commission Decision 93/22/EEC (O.J. No. L16, 25.1.93, p. 8);

Commission Decision 93/39/EEC (O.J. No. L16, 25.1.93, p. 46);

Commission Decision 93/40/EEC (O.J. No. L16, 25.1.93, p. 47);

Commission Decision 93/44/EEC (O.J. No. L16, 25.1.93, p. 53);

Council Directive 93/54/EEC (O.J. No. L175, 19.7.93, p. 34) insofar as it applies to exports;

Commission Decision 93/55/EEC (O.J. No. L14, 22.1.93, p. 24) as amended by Commission Decision 93/169/EEC (O.J. No. L71, 24.3.93, p. 16);

Commission Decision 93/56/EEC (O.J. No. L14, 22.1.93, p. 25);

Commission Decision 93/57/EEC (O.J. No. L14, 22.1.93, p. 26);

Commission Decision 93/58/EEC (O.J. No. L14, 22.1.93, p. 27);

Commission Decision 93/59/EEC (O.J. No. L14, 22.1.93, p. 28);

Commission Decision 93/73/EEC (O.J. No. L27, 4.2.93, p. 34);

Commission Decision 93/74/EEC (O.J. No. L27, 4.2.93, p. 35);

Commission Decision 93/169/EEC (O.J. No. L71, 24.3.93, p. 16);

Commission Decision 94/306/EC (O.J. No. L133, 28.5.94, p. 51);

Commission Decision 94/450/EC (O.J. No. L187, 22.7.94, p. 8);

Commission Decision 94/865/EC (O.J. No. L352, 31.12.94, p. 75).

Relevant provisions: Articles 3, 4, 7 to 11, 14 and 16.

Ovine and caprine animals

9. Council Directive 91/68/EEC of 28th January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals;

O.J. No. L46, 19.2.91, p. 19 as read with:

Commission Decision 93/52/EEC (O.J. No. L13, 21.1.93, p. 14) as amended by Commission Decision 94/877/EC (O.J. No. L352, 31.12.94, p. 102);

Commission Decision 94/164/EC (O.J. No. L74, 17.3.94, p. 42);

Commission Decision 94/953/EC (O.J. No. L371, 31.12.94, p. 14).

Relevant provisions: Articles 4 to 6 and 9.

(a) Only uncastrated rams for breeding which have been tested for contagious epididymitis (*Brucella ovis*) in accordance with Article 6(c) of Council Directive 91/68/EEC may be imported into Northern Ireland.

(b) The official health certification accompanying all sheep and goats for fattening and breeding imported into Northern Ireland must confirm that the animals are eligible for entry into an officially brucellosis free ovine or caprine holding in accordance with Annex A, Chapter 1, point D of Council Directive 91/68/EEC.

Protection of animals during transport

10. Council Directive 91/628/EEC of 19th November 1991 on the protection of animals during transport;

O.J. No. L340, 11.12.91, p. 17.

Relevant provisions: Articles 4, 6, 8, 11 and 15.

Other animals, semen, ova and embryos

11. Council Directive 92/65/EEC of 13th July 1992 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 Annex A(I) to Directive 90/425/EEC;

O.J. No. L268, 14.9.92, p. 54.

Relevant provisions: Articles 3 to 9, 10.1, 10.2 (only in so far as it concerns exports), and 11 to 13.

- (a) By way of derogation from the requirements of Article 5.1 of Council Directive 92/65/EEC, the Department may authorise in writing the purchase of apes belonging to an individual, by a body, institute or centre approved under regulation 9.
- (b) The importation into Northern Ireland of lagomorphs which cannot be shown to have been born on the holding of origin and kept in captivity since birth is prohibited except in accordance with the provisions of the Rabies (Importation of Dogs, Cats and Other Mammals) Order (Northern Ireland) 1977 (as amended). Lagomorphs born on the holding of origin and kept in captivity since birth must be accompanied on importation by an official health certificate confirming that status and that the holding of origin has been free from rabies for at least one month.
- (c) Animals (other than carnivores, primates, bats and lagomorphs) born on the holding of origin and kept in captivity since birth must be accompanied on importation by a certificate completed by the exporter confirming that status and that the animals do not show any obvious signs of disease at the time of export and that the premises of origin are not subject to any animal health restrictions.

Pathogens

12. Council Directive 92/118/EEC of 17th December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said 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;

O.J. No. L62, 15.3.93, p. 49.

Relevant provisions: Articles 6 and 7.1.

II. ZOOTECHNICAL LEGISLATION

Pure-bred animals of the bovine species

13. Council Directive 77/504/EEC of 25th July 1977 on pure-bred breeding animals of the bovine species;

O.J. No. L206, 12.8.77, p. 8 as amended by:

The Act concerning the conditions of accession of the Hellenic Republic to the European Communities (O.J. No. L291, 19.11.79, p. 17);

Council Directive 79/268/EEC (O.J. No. L62, 13.3.79, p. 5);

Council Regulation 3768/85/EEC (O.J. No. L362, 31.12.85, p. 8);

Council Directive 85/586/EEC (O.J. No. L372, 31.12.85, p. 44);

Council Directive 91/174/EEC (O.J. No. L85, 5.4.91, p. 37);

Council Directive 94/28/EC (O.J. No. L178, 12.7.94, p. 66).

Breeding animals of the porcine species

14. Council Directive 88/661/EEC of 19th December 1988 on the zootechnical standards applicable to breeding animals of the porcine species;

O.J. No. L382, 31.12.88, p. 36.

Pure-bred breeding sheep and goats

15. Council Directive 89/361/EEC of 30th May 1989 concerning pure-bred breeding sheep and goats;

O.J. No. L153, 6.6.89, p. 30.

Equidae

16. Council Directive 90/427/EEC of 26th June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae;

O.J. No. L224, 18.8.90, p. 55 as read with:

Commission Decision 92/353/EEC (O.J. No. L192, 11.7.92, p. 63);

Commission Decision 92/354/EEC (O.J. No. L192, 11.7.92, p. 66);

Commission Decision 93/623/EC (O.J. No. L298, 3.12.93, p. 45).

List of Diseases

Foot and mouth disease (FMD)
Classical swine fever (CSF)
African swine fever (ASF)
Swine vesicular disease (SVD)
Newcastle disease (ND)
Rinderpest
Peste des petits ruminants (PPR)
Vesicular stomatitis (VS)
Blue tongue
African horse sickness (AHS)
Viral equine encephalomyelitis
Teschen disease
Avian influenza
Sheep and goat pox
Lumpy skin disease
Rift valley fever
Contagious bovine pleuro-pneumonia
Bovine spongiform encephalopathy
Infectious haematopoietic necrosis

Community Legislation on Third Countries**Bovine, ovine and caprine animals and swine from third countries**

1. Council Directive 72/462/EEC of 12th December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries (O.J. No. L302, 31.12.72, p. 28), as amended by:

- Council Directive 90/423/EEC (O.J. No. L224, 18.8.90, p. 13);
- Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);
- Council Directive 91/69/EEC (O.J. No. L46, 19.2.91, p. 37);
- Council Directive 91/496/EEC (O.J. No. L268, 24.9.91, p. 56);
- Council Directive 91/688/EEC (O.J. No. L377, 31.12.91, p. 18).

Relevant provisions: Articles 6, 11, 12.8 and 13.

Third countries from which Member States may authorise certain imports

2. Council Decision 79/542/EEC of 21st December 1979 drawing up a list of third countries from which the Member States authorise imports of bovine animals, swine, equidae, sheep and goats, fresh meat and meat products (O.J. No. L146, 14.6.79, p. 15), as amended by:

- Commission Decision 93/100/EEC (O.J. No. L40, 17.2.93, p. 23);
- Commission Decision 93/344/EEC (O.J. No. L138, 9.6.93, p. 11);
- Commission Decision 93/435/EEC (O.J. No. L201, 11.8.93, p. 28);
- Commission Decision 93/507/EEC (O.J. No. L237, 22.9.93, p. 36);
- Commission Decision 94/310/EC (O.J. No. L137, 1.6.94, p. 72);
- Commission Decision 94/453/EC (O.J. No. L187, 22.7.94, p. 11);
- Commission Decision 94/561/EC (O.J. No. L214, 19.8.94, p. 17).

Canada

3. Commission Decision 83/494/EEC of 27th September 1983 concerning animal health conditions and veterinary certification for the importation of domestic animals of the bovine and porcine species from Canada (O.J. No. L273, 6.10.83, p. 37), as amended by:

- Commission Decision 84/421/EEC (O.J. No. L237, 5.9.84, p. 14).

The official health certification accompanying all cattle imported into Northern Ireland from Canada must state that the animals do not originate from herds in the geographic region of the Okanagan Valley in British Columbia as defined by Commission Decision 88/212/EEC of 9th March 1988 on health protection measures concerning blue tongue in respect of Canada (O.J. No. L95, 13.4.88, p. 21). Cattle imported from Canada may only land in Northern Ireland between 1st February and 15th April inclusive.

Equidae

4. Council Directive 90/426/EEC of 26th June 1990 on animal health conditions governing the movement and import from third countries of equidae (O.J. No. L224, 18.8.90, p. 42) as amended by and as read with:

- Council Directive 90/425/EEC (O.J. No. L224, 18.8.90, p. 29);
- Council Directive 91/496/EEC (O.J. No. L268, 24.9.91, p. 56);
- Council Directive 92/36/EEC (O.J. No. L157, 10.6.92, p. 28);
- Commission Decision 92/130/EEC (O.J. No. L47, 22.2.92, p. 26);
- Commission Decision 94/467/EC (O.J. No. L190, 26.7.94, p. 28).

Relevant provisions: Articles 11, 12.1, 13 to 16, 18 and 20.2.

Poultry and hatching eggs

5. Council Directive 90/539/EEC of 15th October 1990 on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs (O.J. No. L303, 31.10.90, p. 6) as amended by and as read with:

- Council Directive 91/494/EEC (O.J. No. L268, 24.9.91, p. 35);
- Council Directive 91/496/EEC (O.J. No. L268, 24.9.91, p. 56);
- Council Directive 92/65/EEC (O.J. No. L268, 14.9.92, p. 54);
- Commission Decision 92/340/EEC (O.J. No. L188, 8.7.92, p. 34);
- Commission Decision 92/369/EEC (O.J. No. L195, 14.7.92, p. 25);
- Council Directive 93/120/EC (O.J. No. L340, 31.12.93, p. 35).

Relevant provisions: Articles 20, 21.1, 22.1, 23, 24, 27.2 and 28.

Specified animals

6. Council Directive 92/65/EEC of 13th July 1992 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 Annex A(I) to Directive 90/425/EEC (O.J. No. L268, 14.9.92, p. 54).

Relevant provisions: Articles 17.1, 17.2 and 18.

Temporary admission of registered horses

7. Commission Decision 92/260/EEC of 10th April 1992 on animal health conditions and veterinary certification for temporary admission of registered horses (O.J. No. L130, 15.5.92, p. 67) as amended by:

- Commission Decision 93/344/EEC (O.J. No. L138, 9.6.93, p. 11);
- Commission Decision 94/453/EC (O.J. No. L187, 22.7.94, p. 11);
- Commission Decision 94/561/EC (O.J. No. L214, 19.8.94, p. 17).

Hungary

8. Commission Decision 92/322/EEC of 10th June 1992 concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Hungary (O.J. No. L177, 30.6.92, p. 1), as amended by:

- Commission Decision 93/393/EEC (O.J. No. L170, 13.7.93, p. 30);
- Commission Decision 94/668/EC (O.J. No. L260, 8.10.94, p. 34).

Poland

9. Commission Decision 92/323/EEC of 10th June 1992 concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Poland (O.J. No. L177, 30.6.92, p. 18).

The Czech Republic and Slovakia

10. Commission Decision 92/324/EEC of 10th June 1992 concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Czechoslovakia (O.J. No. L177, 30.6.92, p. 35).

Bulgaria

11. Commission Decision 92/325/EEC of 10th June 1992 concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Bulgaria (O.J. No. L177, 30.6.92, p. 52) as amended by and as read with:

Commission Decision 92/526/EEC (O.J. No. L332, 18.11.92, p. 21);

Commission Decision 93/372/EEC (O.J. No. L155, 26.6.93, p. 91);

Commission Decision 93/420/EEC (O.J. No. L191, 31.7.93, p. 133).

Romania

12. Commission Decision 92/402/EEC of 31st July 1992 concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Romania (O.J. No. L224, 8.8.92, p. 18).

Switzerland

13. Commission Decision 92/460/EEC of 2nd September 1992 concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Switzerland (O.J. No. L261, 7.9.92, p. 1).

Iceland

14. Commission Decision 92/463/EEC of 2nd September 1992 concerning animal health conditions and veterinary certificates for the import of domestic animals of the bovine and porcine species from Iceland (O.J. No. L261, 7.9.92, p. 50).

Latvia

15. Commission Decision 93/181/EEC of 29th January 1993 concerning animal health conditions and veterinary certificates for the importation of domestic animals of the bovine species and health protection measures in respect of imports of domestic animals of the porcine species from Latvia (O.J. No. L78, 31.3.93, p. 1).

The importation into Northern Ireland from Latvia of domestic animals of the porcine species is prohibited.

Slovenia

16. Commission Decision 93/182/EEC of 29th January 1993 concerning animal health conditions and veterinary certificates for the importation of domestic animals of the bovine species and health protection measures in respect of imports of domestic animals of the porcine species from Slovenia (O.J. No. L78, 31.3.93, p. 11).

The importation into Northern Ireland from Slovenia of domestic animals of the porcine species is prohibited.

Lithuania

17. Commission Decision 93/183/EEC of 29th January 1993 concerning animal health conditions and veterinary certificates for the importation of domestic animals of the bovine species and health protection measures in respect of imports of domestic animals of the porcine species from Lithuania (O.J. No. L78, 31.3.93, p. 21).

The importation into Northern Ireland from Lithuania of domestic animals of the porcine species is prohibited.

Estonia

18. Commission Decision 93/184/EEC of 2nd February 1993 concerning animal health conditions and veterinary certificates for the importation of domestic animals of the bovine species and health protection measures in respect of imports of domestic animals of the porcine species from Estonia (O.J. No. L78, 31.3.93, p. 31).

The importation into Northern Ireland from Estonia of domestic animals of the porcine species is prohibited.

Registered horses for racing, etc

19. Commission Decision 93/195/EEC of 2nd February 1993 on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export (O.J. No. L86, 6.4.93, p. 1) as amended by:

Commission Decision 93/344/EEC (O.J. No. L138, 9.6.93, p. 11);

Commission Decision 94/453/EC (O.J. No. L187, 22.7.94, p. 11);

Commission Decision 94/561/EC (O.J. No. L214, 19.8.94, p. 17).

Equidae for slaughter

20. Commission Decision 93/196/EEC of 5th February 1993 on animal health conditions and veterinary certification for imports of equidae for slaughter (O.J. No. L86, 6.4.93, p. 7) as amended by:

Commission Decision 94/453/EC (O.J. No. L187, 22.7.94, p. 11).

Equidae for breeding and production

21. Commission Decision 93/197/EEC of 5th February 1993 on animal health conditions and veterinary certification for imports of registered equidae and equidae for breeding and production (O.J. No. L86, 6.4.93, p. 16), as amended by:

Commission Decision 93/344/EEC (O.J. No. L138, 9.6.93, p. 11);

Commission Decision 93/510/EEC (O.J. No. L238, 23.9.93, p. 45);

Commission Decision 93/682/EC (O.J. No. L317, 18.12.93, p. 82);

Commission Decision 94/453/EC (O.J. No. L187, 22.7.94, p. 11);

Commission Decision 94/561/EC (O.J. No. L214, 19.8.94, p. 17).

Ovine and caprine animals

22. Commission Decision 93/198/EEC of 17th February 1993 laying down a model for the animal health conditions and veterinary certification for the importation of domestic ovine and caprine animals from third countries (O.J. No. L86, 6.4.93, p. 34) as amended by:

Commission Decision 94/453/EC (O.J. No. L187, 22.7.94, p. 11).

Live animals in relation to foot-and-mouth disease

23. Commission Decision 93/242/EEC of 30th April 1993 concerning the importation into the Community of certain live animals and their products originating from certain European countries in relation to Foot and Mouth Disease (O.J. No. L110, 4.5.93, p. 36), as amended by and as read with:

Commission Decision 93/335/EEC (O.J. No. L132, 29.5.93, p. 140);

Commission Decision 93/372/EEC (O.J. No. L155, 26.6.93, p. 91);

Commission Decision 93/397/EEC (O.J. No. L173, 16.7.93, p. 36);

Commission Decision 93/420/EEC (O.J. No. L191, 31.7.93, p. 133);

Commission Decision 93/498/EEC (O.J. No. L234, 17.9.93, p. 22);

Commission Decision 94/81/EC (O.J. No. L40, 11.2.94, p. 58).

New Zealand

24. Commission Decision 93/491/EEC of 28th July 1993 concerning animal health conditions and veterinary certificates for the importation of domestic animals of the bovine and porcine species from New Zealand (O.J. No. L229, 10.9.93, p. 18).

Croatia

25. Commission Decision 94/321/EC of 29th April 1994 concerning animal health conditions and veterinary certificates for the importation of domestic animals of the bovine and porcine species from Croatia (O.J. No. L143, 8.6.94, p. 11).

The importation into Northern Ireland from Croatia of domestic animals of the porcine species is prohibited.

Disapplication of Legislation

1 <i>Number</i>	2 <i>Title</i>	3 <i>Extent</i>
S.R. & O. (N.I.) 1953 No. 87 (p. 12)	Horses (Sea Transport) Order (Northern Ireland) 1953	Article 3
S.R. & O. (N.I.) 1963 No. 178	Diseases of Animals (Unlawful Importations) Order (Northern Ireland) 1963	Articles 4 and 6
S.R. & O. (N.I.) 1965 No. 175 as amended by S.R. & O. (N.I.) 1968 No. 106, S.R. 1985 No. 162 and S.R. 1992 No. 199.	Diseases of Animals (Importation of Poultry) Order (Northern Ireland) 1965	The whole Order except that Article 4 shall continue to apply to all birds (including domestic fowl) and their hatching eggs other than those subject to the provisions of Council Directive 90/539/EEC (excluding domestic fowl)
S.R. 1967 c. 7 (N.I.)	Diseases of Fish Act (Northern Ireland) 1967	Section 3
S.R. 1967 No. 294	Rabbits and Hares (Control of Importation) Order (Northern Ireland) 1967	The whole Order
S.R. 1973 No. 392	Risk of Infection (Oysters) Order (Northern Ireland) 1973	The whole Order
S.I. 1975/1834 (N.I. 17)	Artificial Reproduction of Animals (Northern Ireland) Order 1975	Article 6(1) will no longer apply to bovine semen which is the subject of Council Directive 88/407/EEC, bovine embryos which are the subject of Council Directive 89/556/EEC and porcine semen which is the subject of Council Directive 90/429/EEC.

1 <i>Number</i>	2 <i>Title</i>	3 <i>Extent</i>
S.R. 1977 No. 113 as amended by S.R. 1977 No. 256 and S.R. 1994 No. 402	Rabies (Importation of Dogs, Cats and Other Mammals) Order (Northern Ireland) 1977	The Order shall continue to apply to all carnivores, primates and bats. It shall continue to apply to the importation of all other animals unless such animals are imported by way of trade and can be shown to have been born on the holding of origin and kept in captivity since birth.
S.R. 1982 No. 99	Lobsters (Risk of Infection) Order (Northern Ireland) 1982	The whole Order
S.R. 1986 No. 253	Importation of Animals Order (Northern Ireland) 1986	Articles 3, 6(1) and (2), 7 to 11, 13 to 15, 16(2) and Schedule 3 except that Article 3 shall continue to apply to ruminating animals and swine other than animals which are the subject of Council Directives 64/432/EEC and 91/68/EEC.
S.R. 1991 No. 458	Risk of Infection (Fish) Order (Northern Ireland) 1991	The whole Order

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations revoke and re-enact with amendments the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 1993 ("the 1993 Regulations") so as to implement the provisions (except for Article 10.2 for imports and Article 10.3) of 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 Annex A(I) to Directive 90/425/EEC (O.J. No. L268, 14.9.92, p. 54). They also implement, in respect of pathogenic agents, the provisions of Council Directive 92/118/EEC laying down the animal and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) of Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC (O.J. No. L62, 15.3.93, p. 49). The principal changes of substance are as follows:—

1. The scope of the 1993 Regulations is extended to cover animals and products which are the subject of Directive 92/65/EEC ie apes, ungulates (including zoo ruminants, deer and suidae), birds (other than poultry), bees, rabbits and hares, ferrets, mink and foxes, cats and dogs, other rabies susceptible species, semen, ova and embryos of the ovine, caprine and equine species and ova and embryos of swine.
2. The Regulations provide for the registration of holdings from which animals intended for intra-Community trade originate (regulation 5(5)) and the approval of certain bodies, institutes and centres where animals are kept or bred as required by 92/65/EEC (regulation 9).
3. The Regulations also now permit the direct importation into Northern Ireland from third countries of certain live animals (Part III) in accordance with the provisions of Commission Decision 94/24/EC providing the requirements of Council Directive 91/496/EEC laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries (O.J. No. L268, 24.9.91, p. 56) have been met (regulations 14 to 16). They specify the procedure for import (regulation 18), provide for payment of fees (regulation 19) and procedures to be followed when the consignment constitutes a danger to health or are otherwise illegal (regulations 17 and 20 to 23).

1995 No. 53

This Order has been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. A summary is given in the List of Statutory Rules of a Local Character under the heading ROADS.