

2007 No. 314

AGRICULTURE

**The Products of Animal Origin (Third Country Imports)
(Amendment) Regulations (Northern Ireland) 2007**

Made - - - - - *28th June 2007*

Coming into operation - - - - - *29th June 2007*

The Department of Agriculture and Rural Development is 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 Community.

Exercising the powers conferred upon it by that section, it makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as The Products of Animal Origin (Third Country Imports) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 29th June 2007.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954^(c) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment

3.—(1) The Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007^(d) are amended as follows.

(2) In regulation 2 (interpretation), at the appropriate place, insert—

““composite product” means a foodstuff intended for human consumption that contains both processed products of animal origin and products of plant origin and includes those products where the processing of primary product is an integral part of the production of the final product, but does not include foodstuffs containing any milk product that is derived from, and treated as provided for, countries not listed in Annex I to Commission Decision 2004/438/EC (laying down animal and public health and veterinary certifications conditions for introduction in the Community of heat-treated milk, milk-based products and raw milk intended for human consumption)^(e)”

(a) S.I. 2000/2812

(b) 1972 c.68

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

(d) S.R. 2007 No.199

(e) O.J. No. L92, 12.4.2005, p.47

(3) In regulation 2 (interpretation), for the definition of “product” substitute—

““product” means any product of animal origin listed in Chapters 2, 3, 4, 5, 12, 15, 16, 17, 19, 20, 21, 23, 28, 30, 31, 35, 41, 42, 43, 51 or 97 of the Table in Annex I to Commission Decision 2007/275/EC (concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC)(a), but does not include—

- (a) composite products and foodstuffs listed in Annex II to Commission Decision 2007/275/EC; or
- (b) composite products not containing meat or meat products, where less than half of the product is processed product of animal origin, provided that such products are—
 - (i) shelf-stable at ambient temperature or have clearly undergone, in their manufacture, a complete cooking or heat treatment process throughout their substance, so that any raw product is denatured;
 - (ii) clearly identified as intended for human consumption;
 - (iii) securely packaged or sealed in clean containers; and
 - (iv) accompanied by a commercial document and labelled in an official language of a member State, so that that document and labelling together give information on the nature, quality and number of packages of the composite products, the country of origin, the manufacturer and the ingredient;”.

(4) For paragraph (8) of regulation 4 (exemption for authorised products and personal imports) substitute—

“(8) In this regulation “meat”, “meat products”, “milk” and “milk products” mean products of those types listed in Chapters 2 and 4 of the Table in Annex I to Commission Decision 2007/275/EC.”.

(5) In paragraph (5) of regulation 23 (products containing unauthorised substances and excess residues), for Part 10 substitute—

“Part 9”.

(6) In Schedule 1 (import conditions), Part VIII (miscellaneous products), after paragraph 5 (Hay and straw (third countries from which imports are permitted))insert—

“Composite products

Commission Decision 2007/275/EC (concerning lists of animals and products to be subject to controls at border inspection posts under Council Directive 91/496/EEC and 97/78/EC) (O.J. No. L166, 4.5.2007, p.9).”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 28th June 2007



Liam McKibben

A senior officer of the Department of Agriculture and Rural Development

(a) O.J. No. L116, 4.5.2007, p.9

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007 (S.R. 2007 No. 199) (“the principal Regulations”). The Regulations give effect to Commission Decision 2007/275/EC (concerning lists of animals and products to be subject to controls at border inspection posts under Council Directive 91/496/EEC and 97/78/EC) (O.J. No. L166, 4.5.2007, p. 9).

Commission Decision 2007/275/EC specifies the products of animal origin from third countries to which the principal Regulations and Council Directive 97/78/EC (laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries) (O.J. No. L24, 30.1.98, p.9) apply. The products are meat, fish (including shellfish), milk, and products made from these, together with egg products, honey and honey products, composite food products and a large number of animal by-products, including casings, skins, bones and blood.

Regulation 3(2) and (3) extend the ambit of the principal Regulations to cover composite products.