

**EXPLANATORY MEMORANDUM
TO
THE PRODUCTS OF ANIMAL ORIGIN (THIRD COUNTRY IMPORTS) (AMENDMENT
No. 2) REGULATIONS (NORTHERN IRELAND) 2009.**

S.R. 2009 No. 323

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of Agriculture and Rural Development and is laid before The Northern Ireland Assembly.

1.2 The Statutory Rule is made under section 2(2) of the European Communities Act 1972 and is subject to the negative resolution procedure.

1.3 The Rule complies with the 21 day rule and will come into operation on 19th October 2009.

2. Background

2.1 The Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007 (“the Principal Regulations”) transpose into domestic law Council Directive 97/78/EC which sets out the rules for veterinary checks on imports of animal products (including meat, dairy products and fish).

2.2 The Principal Regulations require that products of animal origin to which the Directive applies for import from third countries must be presented to an approved Border Inspection Post for veterinary examination to ensure that the product complies with the relevant import requirements.

3. Purpose

3.1 The new Rule amends regulation 4 of the Principal Regulations to take account of the changes in personal imports permitted from third countries brought about by Commission Regulation (EC) No. 206/2009 on the introduction into the Community of personal consignments of products of animal origin.

4. Consultation

4.1 There has been no consultation as the changes are as a result of the need to implement EU rules and keep up to date the legislative base for enforcement for the introduction into the Community of personal consignments of products of animal origin.

5. Position in GB

5.1 England already has legislation in place and similar legislation will be introduced in Scotland and Wales.

6. Equality Impact

6.1 An equality impact assessment has not been carried out as no impact on business, charities or voluntary bodies is foreseen.

7. Financial Implications

7.1 The Rule does not have any financial implications for the Department or stakeholders.

8. EU Implications

8.1 The Rule introduces the changes in personal imports permitted from third countries brought about by Commission Regulation (EC) No. 206/2009.

9. Section 24 of the Northern Ireland Act 1998

9.1 The Rule deals with animal disease control and does not have human rights implications, nor is it incompatible with EU law. The Rule is therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

10. Contact

10.1 Thomas Craig at the Department of Agriculture and Rural Development.
Telephone: 028 90524395 or e-mail: Thomas.Craig@dardni.gov.uk.