
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 1

**The Products of Animal Origin (Third
Country Imports) (Scotland) Regulations 2007**

PART 5

Products Intended for Import

Retention of documents at border inspection posts

34. Where a documentary check has been carried out at a border inspection post on a product intended (whether directly or ultimately) for import, the person who presented the required documents relating to that product under regulation 18(1) must surrender the same to the official veterinary surgeon at that border inspection post.

Evidence of certification of, and payment for, veterinary checks

35. Where Part 2 of the common veterinary entry document has been issued certifying that a consignment is fit for import, the person responsible for the consignment must ensure that the Commissioners have been supplied with evidence satisfactory to them that—

- (a) Part 2 of that document has been issued; and
- (b) payment of all charges payable in accordance with Part 9 of these Regulations for veterinary checks carried out on the consignment, including sampling, and for any test or analysis carried out on any samples taken—
 - (i) has been made; or
 - (ii) has been assured by a deposit or guarantee satisfactory to the person to whom, under regulation 54(2), the charges are payable.

Products not intended for the United Kingdom

36.—(1) Where—

- (a) notice of bringing in a product has been given under regulation 17; and
- (b) that notice specifies a member State other than the United Kingdom as the country of destination; and
- (c) the circumstances mentioned in paragraph (2) apply,

no person may, without reasonable excuse, prevent or delay the transport of that product to that Member State.

(2) The circumstances referred to in paragraph (1)(c) are that Part 2 of the common veterinary entry document has been issued in respect of that product, authorising its import—

- (a) into that member State or a particular area of it in accordance with specific requirements; or
- (b) for specific purposes in accordance with conditions,

and those requirements or conditions are laid down for products imported into that member State or particular area, or for products imported for those specific purposes, in any Directive, Decision or Regulation listed in Schedule 1.

Products transported under supervision

37.—(1) This regulation applies to products intended for import which are required by any Directive, Decision or Regulation listed in Schedule 1 to be transported under veterinary supervision from the border inspection post at which they are first brought into the relevant territories to their destination establishment.

(2) No person may remove a product to which this regulation applies from a border inspection post unless it is contained in a leak-proof container or a means of transport which has been sealed by an officer of Revenue and Customs or by the official veterinary surgeon at that border inspection post.

(3) The person responsible for a product to which this regulation applies and any carrier who has charge of it for the time being must ensure that the product is transported without delay to its destination establishment, and that the common veterinary entry document accompanies it until it reaches its destination establishment.

(4) Where Part 2 of the common veterinary entry document has authorised the import of a product to which this regulation applies for specific purposes as described in regulation 36(2)(b), the person responsible for the product and any carrier who has charge of it for the time being must ensure that it remains under the supervision of the Commissioners in accordance with the T5 procedure provided for in Articles 471 to 495 of Commission Regulation (EEC) No. 2454/93 (laying down provisions for the implementation of Council Regulation (EEC) No. 2913/92 establishing the Community Customs Code)(1) until it reaches its destination establishment.

(5) The operator of a destination establishment must give immediate written notification to the veterinary officer who is responsible on behalf of the Scottish Ministers or the Agency for the destination establishment of the arrival there of any product to which this regulation applies.

(6) The operator of a destination establishment must ensure that a product to which this regulation applies undergoes at the destination establishment the treatment prescribed for it by the relevant Directive, Decision or Regulation listed in Schedule 1.

Transshipment of products intended for import

38.—(1) This regulation applies to transhipped products where the border inspection post of introduction is in Scotland.

(2) As soon as a product to which this regulation applies arrives at the border inspection post of introduction, the person responsible for the product must notify the official veterinary surgeon there in writing, or in computerised or other electronic form, of the exact location of the product, of the estimated time of its transshipment or unloading, and of its border inspection post of destination.

(3) Where, according to the notification given under paragraph (2), a product to which this regulation applies is to be transhipped—

- (a) from one aircraft to another, either directly or after being unloaded in a customs controlled area at the border inspection post of introduction for less than twelve hours; or
- (b) from one sea-going vessel to another, either directly or after being unloaded in a customs controlled area at the border inspection post of introduction for less than seven days,

the conditions set out in paragraph (4) apply.

(4) The conditions referred to in paragraph (3) are that—

(1) O.J. No. L 253, 11.10.93, p.1.

- (a) where a person is required by regulation 18 to present the product and its required documents, to the official veterinary surgeon at the border inspection post of introduction, or to ensure that they are so presented; and
- (b) the official veterinary surgeon considers that the product presents a risk to animal or public health,

the person mentioned in sub-paragraph (a) must permit the official veterinary surgeon, or an assistant appointed under regulation 6(1)(b) or 6(2)(c), to carry out a documentary check on the required documents.

- (5) Paragraph (6) applies where it is proposed–
 - (a) to unload a product to which this regulation applies from an aircraft; and
 - (b) to reload that product onto an aircraft within a period of not less than twelve hours and no greater than 48 hours from the time it was unloaded.
- (6) The person responsible for the product must ensure that–
 - (a) it is stored under the supervision of the official veterinary surgeon at the border inspection post of introduction in a customs controlled area there; and
 - (b) it is then reloaded onto an aircraft for onward transport to its border inspection post of destination.
- (7) Paragraph (8) applies where it is proposed–
 - (a) to unload a product to which this regulation applies from a sea-going vessel; and
 - (b) to reload that product onto a sea-going vessel within a period of not less than seven days and no greater than twenty days from the time it was unloaded.
- (8) The person responsible for the product must ensure that–
 - (a) it is stored under the supervision of the official veterinary surgeon at the border inspection post of introduction in a customs controlled area there; and
 - (b) it is then reloaded onto a sea-going vessel for onward transport to its border inspection post of destination.

(9) Any person required by regulation 18 to present a product to which paragraphs (5) and (6) or paragraphs (7) and (8) apply and its required documents to the official veterinary surgeon at a border inspection post of introduction must permit the official veterinary surgeon there, or an assistant appointed under regulation 6(1)(b) or 6(2)(c), to carry out a documentary check on the required documents and, if the official veterinary surgeon considers that the product presents a risk to animal health or public health, an identity check of the product against the required documents and a physical check of the product.

- (10) Where it is proposed–
 - (a) to unload a product to which this regulation applies from an aircraft and to store that product for more than 48 hours after unloading; or
 - (b) to unload a product to which this regulation applies from a sea-going vessel and to store that product for more than twenty days after unloading,

any person required by regulation 18 to present the product and its required documents to the official veterinary surgeon at the border inspection post of introduction, must permit the official veterinary surgeon there, or an assistant appointed under regulation 6(1)(b) or 6(2)(c), to carry out in all cases, an identity check of the product against the required documents and a physical check of the product.