

1999 No. 157

AGRICULTURE

**The Miscellaneous Products of Animal Origin
(Import Conditions) Regulations 1999**

<i>Made</i>	- - - -	<i>26th January 1999</i>
<i>Laid before Parliament</i>		<i>3rd February 1999</i>
<i>Coming into force</i>		<i>1st March 1999</i>

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SCHEDULE

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers 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, acting jointly, in exercise of the powers conferred on them by the said section 2(2), and of all other powers enabling them in that behalf, make the following Regulations:

Title, commencement and extent

1.—(1) These Regulations may be cited as the Miscellaneous Products of Animal Origin (Import Conditions) Regulations 1999 and shall come into force on 1st March 1999.

(2) These Regulations do not apply to Northern Ireland.

Interpretation

2. In these Regulations, unless the context otherwise requires, any expression used in Directive 92/118/EEC shall have the same meaning as in that directive;

“appropriate Minister” means, in relation to England, the Minister of Agriculture, Fisheries and Food, and in relation to Scotland or to Wales, the Secretary of State;

^(a) S.I. 1972/1811.

^(b) 1972 c. 68.

“Directive 92/118/EEC” means 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 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);

“frogs legs” means the back part of the body divided by a transversal cut behind the front limbs, eviscerated and skinned, of a frog of the species *Rana* spp. (family *Ranidae*) presented fresh, frozen or processed and intended for human consumption;

“honey” means honey which is not included in the definition of apiculture products;

“miscellaneous product of animal origin” means—

- (a) apiculture products;
- (b) snails;
- (c) frogs legs; and
- (d) honey;

“snail” means a terrestrial gastropod of the species *Helix pomatia* Linne, *Helix aspersa* Muller, *Helix lucorum* and species of the family *Achatinidae* which is intended for human consumption.

Miscellaneous products of animal origin originating in another member State

3. No person shall import into Great Britain from another member State any miscellaneous product of animal origin originating in another member State unless—

- (a) it originated in an establishment which complies with the requirements of article 4.2 of Directive 92/118/EEC;
- (b) it satisfies the following requirements of Directive 92/118/EEC—
 - (i) in the case of apiculture products, Chapter 12 of Annex I;
 - (ii) in the case of snails, Paragraphs A and B of Part I of Chapter 3 of Annex II;
 - (iii) in the case of frogs legs, Paragraphs A and B of Part II of Chapter 3 of Annex II; and
- (c) where the miscellaneous product of animal origin has passed through a third country, it is accompanied by a certificate certifying that it complies with the relevant requirements of Directive 92/118/EEC.

Miscellaneous products of animal origin originating in a third country

4.—(1) No person shall import into Great Britain any miscellaneous product of animal origin originating in a third country unless it complies with the conditions applicable to that product set out in the Schedule to these Regulations.

(2) The requirement in paragraph (1) above shall not apply in relation to the import of a trade sample provided that the import takes place under a licence issued by the appropriate Minister.

(3) The appropriate Minister may, when issuing the licence referred to in paragraph (2) above, attach such conditions as he considers appropriate, including any derogations from the checks provided by Council Directive 90/675/EEC^(b).

(4) A licence issued under this regulation may be amended, suspended or revoked at any time.

^(a) OJ No. L62, 15.3.1993, p. 49 as amended by the Act of Accession (Austria, Finland and Sweden); Commission Decision 94/466/EC (OJ No. L190, 26.7.94, p. 26); Commission Decision 94/723/EC (OJ No. L288, 9.11.94, p. 48); Commission Decision 95/338/EC (OJ No. L200, 24.8.95, p. 35); Commission Decision 95/339/EC (OJ No. L200, 24.8.95, p. 36); Commission Decision 96/103/EC (OJ No. L24, 31.1.96, p. 28); Commission Decision 96/340/EC (OJ No. L129, 30.5.96, p. 35); Commission Decision 96/405/EC (OJ No. L165, 4.7.96, p. 40) and Council Directive 96/90/EC (OJ No. L13, 16.1.97, p. 24).

^(b) OJ No. L373, 31.12.90, p. 1.

Enforcement

5. The conditions set out in regulations 3 and 4 of, and the Schedule to, these Regulations shall, for the products to which these Regulations apply, be health conditions for the purposes of the Products of Animal Origin (Import and Export) Regulations 1996^(a) and the provisions of those Regulations shall apply accordingly.

Offences and penalties

6. A person contravening any 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 imprisonment for a term not exceeding three months or both; and
- (b) on conviction on indictment, to a fine or imprisonment for a term not exceeding two years or both.

26th January 1999

Jeff Rooker
Parliamentary Secretary,
Ministry of Agriculture, Fisheries and Food

26th January 1999

Sewel
Parliamentary Under Secretary of State,
Scottish Office

^(a) S.I. 1996/3124.

**CONDITIONS APPLICABLE TO IMPORTS OF MISCELLANEOUS
PRODUCTS OF ANIMAL ORIGIN ORIGINATING IN A THIRD COUNTRY****Part I****APICULTURE PRODUCTS**

Apiculture products shall—

- (a) comply with the requirements of Chapter 12 of Annex I to Directive 92/118/EEC;
- (b) come from an establishment that has been registered in accordance with the second indent of article 10.2(b) of Directive 92/118/EEC; and
- (c) be accompanied by a commercial document including the information laid down in Annex A to Commission Decision 94/860/EC laying down the requirements for the import from third countries of apiculture products for use in apiculture^(a).

Part II**FROGS LEGS**

Frogs legs shall—

- (a) comply with the requirements of Part II of Chapter 3 of Annex II to Directive 92/118/EEC;
- (b) come from a third country or part of a third country listed in Part XII of the Annex to Commission Decision 94/278/EEC drawing up a list of third countries from which member States authorise imports of certain products subject to Directive 92/118/EEC^(b); and
- (c) be accompanied by a health certificate in the form set out in Part II of Chapter 3 of Annex II to Directive 92/118/EEC.

Part III**HONEY**

Honey shall come from an establishment that has been registered in accordance with the second indent of article 10.2(b) of Directive 92/118/EEC.

Part IV**SNAILS**

Snails shall—

- (a) comply with the requirements of Part I of Chapter 3 of Annex II to Directive 92/118/EEC;
- (b) come from a third country or part of a third country listed in Part XI of the Annex to Commission Decision 94/278/EEC; and
- (c) be accompanied by a health certificate in the form set out in Part I of Chapter 3 of Annex II to Directive 92/118/EEC.

^(a) OJ No. L352, 31.12.1994, p. 69.

^(b) OJ No. L120, 11.5.1994, p. 44.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement in Great Britain, Council Directive 96/90/EC amending Directive 92/118/EEC laying down animal health and public health requirements governing trade in and imports into the Community of miscellaneous products of animal origin.

The Regulations apply to apiculture products, frogs legs, honey and snails. They specify the requirements for the import of those products from other member States (regulation 3) and from third countries (regulation 4).

A regulatory impact assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Animal Health (BSE and International Trade) Division, Branch E, of the Ministry of Agriculture, Fisheries and Food, Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey, KT6 7NF.

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