
STATUTORY INSTRUMENTS

2019 No. 1225

The Trade in Animals and Animal Products
(Legislative Functions) and Veterinary Surgeons
(Amendment) (EU Exit) Regulations 2019

PART 2

Powers to amend lists of approved third countries for trade in animals and products

CHAPTER 7

Function of approval of third countries to be included in
approved lists for the import of ungulates and fresh meat

Power to amend the third country lists in [Commission Regulation \(EU\) No 206/2010](#)

9.—(1) The Secretary of State, with the consent of the appropriate authority, may by regulations amend [Commission Regulation \(EU\) No 206/2010](#) laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements⁽¹⁾, to add a third country to the list in Part 1 of Annex 1 (Ungulates) or Part 1 of Annex 2 (fresh meat) (“the relevant list”), or remove or amend an entry in the relevant list in respect of a third country, where the amendment is necessary or appropriate in the light of an assessment of the risks to animal and human health in the United Kingdom, taking into account the public health criteria and the matters specified in paragraph (2).

(2) Any assessment which is relied on for the purposes of paragraph (1) to amend Part 1 of Annex 1 with regard to imports of ungulate animals listed in Annex 1 to Council [Directive 2004/68/EC](#)⁽²⁾ must be appropriate to the circumstances and have been approved by the Secretary of State and the appropriate authority, taking into account—

- (a) the health status of livestock, other domestic animals and wildlife and the environmental situation in the third country, with particular regard to the general situation as regards animal health in the third country and any animal disease that is exotic, notifiable or reportable in the United Kingdom that may pose a risk to the health and environmental situation of the United Kingdom;
- (b) the legislation of the third country in relation to animal health and welfare;
- (c) the organization of the competent veterinary authority and its inspection services in the third country, the powers available to undertake those services, the supervision to which they are subject, and the means at their disposal, including staff and laboratory capacity, to apply the third country’s legislation effectively;

⁽¹⁾ [Commission Regulation \(EU\) No 206/2010](#) is amended by [S.I. 2019/795](#).

⁽²⁾ OJ No. L 139, 30.4.2004, p.320, last amended by Commission Implementing [Decision 2012/253/EU](#) (OJ No. L 125, 12.5.2012, p.51).

- (d) the assurances which the competent veterinary authority of the third country can give regarding compliance with legislation in that country that is of relevance to protection of animal health in the United Kingdom;
 - (e) whether the third country is a member of the OIE, and the regularity and rapidity of the information supplied by the third country relating to the existence of infectious or contagious animal diseases in its territory, in particular those diseases listed by the OIE;
 - (f) the assurances given by the third country to inform the United Kingdom within 24 hours of the confirmation of the occurrence of any diseases of ungulates listed in Annex 2 to Council [Directive 2004/68/EC](#) and of any change in the vaccination policy concerning such diseases, or any proposed changes in the national health rules concerning live ungulate animals, in particular regarding importation;
 - (g) any experience of previous imports of live animals from the third country and the results of any import controls carried out;
 - (h) the animal health requirements applying to the production, manufacture, handling, storage and dispatch of products of animal origin intended for the United Kingdom;
 - (i) the results of inspections or audits carried out in the third country, in particular the results of the assessment of the competent authorities of those inspections or audits;
 - (j) the rules on the prevention and control of infectious or contagious animal diseases in force in the third country and their implementation, including rules on importation from other third countries.
- (3) Any assessment which is relied on for the purposes of paragraph (1) to amend Part 1 of Annex 2 to [Commission Regulation \(EU\) No 206/2010](#) with regard to imports of fresh meat in accordance with Council [Directive 2002/99/EC](#)(**3**) must be appropriate to the circumstances and have been approved by the Secretary of State and the appropriate authority.
- (4) In the case of a third country which is not listed in the relevant list, or which is listed therein only as regards part of its territory, the assessment must demonstrate that the relevant competent authority of the third country is able to provide appropriate assurances regarding compliance with relevant animal and public health requirements in the United Kingdom.

(3) OJ No. L 18, 23.1.2003, p.11, as last amended by Council [Directive 2013/20/EU](#) (OJ No. L 206, 2.8.2013, p.13).