
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 1

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

PART 1

Introduction

Person responsible for a consignment

3.—(1) In these Regulations, a reference to “person responsible for”, in relation to a product, consignment or part consignment is construed in accordance with the following paragraphs.

(2) Until—

- (a) the product, consignment or part consignment first arrives at a border inspection post in Scotland; or
- (b) in the case of an Article 9 product, or a consignment or part consignment of Article 9 products, it arrives at a border inspection post of destination in Scotland,

the person responsible for the product, consignment or part consignment is the person specified in paragraph (3).

(3) The person referred to in paragraph (2) is—

- (a) the person referred to in Article 38(1) of the Customs Code who brings the product, consignment or part consignment into the customs territory of the Community;
- (b) a person referred to in Article 38(2) of the Customs Code who assumes responsibility for the carriage of the product, consignment or part consignment after it has been brought into the customs territory of the Community; or
- (c) a person in whose name the persons referred to in sub-paragraph (a) or (b) acted.

(4) From the time—

- (a) the product, consignment or part consignment first arrives at a border inspection post in Scotland until it leaves that border inspection post; or
- (b) in the case of an Article 9 product, or a consignment or part consignment of Article 9 products, it arrives at a border inspection post of destination in Scotland until it leaves that border inspection post of destination,

the person responsible for the product, consignment or part consignment is the person specified in paragraph (5).

(5) The person referred to in paragraph (4) is—

- (a) the person in whose name the persons referred to in paragraph (3)(a) or (b) acted;
- (b) if the product, consignment or part consignment is in temporary storage, as referred to in Article 50 of the Customs Code, the person referred to in Article 51(2) of the Customs Code who holds it in temporary storage; or
- (c) if—

- (i) a person referred to in sub-paragraph (a) or (b), has appointed a representative in that person's dealings with the customs authorities, within the meaning of Article 5 of the Customs Code, and
 - (ii) the representative is given or assumes responsibility for ensuring that the product, consignment or part consignment undergoes veterinary checks,
- that representative.

(6) After—

- (a) the product, consignment or part consignment leaves a border inspection post referred to in paragraph (4)(a); or
- (b) in the case of an Article 9 product, or a consignment or part consignment of Article 9 products, it leaves the border inspection post of destination,

the person responsible for the product, consignment or part consignment is the person specified in paragraph (7).

(7) The person referred to in paragraph (6) is—

- (a) the person who made a customs declaration, within the meaning of Article 64 of the Customs Code, covering the product, consignment or part consignment; or
- (b) if no such customs declaration has been made, the person capable of making it.