

STATUTORY RULES OF NORTHERN IRELAND

2011 No. 438

The Trade in Animals and Related Products Regulations (Northern Ireland) 2011

PART 3

IMPORTATION FROM A THIRD COUNTRY

Scope of this Part

^{F1}9. This Part applies in relation to the importation into Northern Ireland from a country outside the European Union of any animal or product [^{F2}subject to official controls at border control posts].

Textual Amendments

- F1** By [The Trade in Animals and Animal Products \(Legislative Functions\) and Veterinary Surgeons \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1225\)](#), regs. 1(3), **21(4)**; 2020 c. 1, Sch. 5 para. 1(1), it is provided that (31.12.2020) the words "the published nomenclature list" are substituted for the words "Commission Decision 2007/275/EC"
- F2** Words in [reg. 9](#) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(9)**

Commencement Information

- I1** Reg. 9 in operation at 1.1.2012, see [reg. 1](#)

[^{F3}Meaning and use of Common Health Entry Document "CHED"]

10.—(1) A "Common Health Entry Document" ("CHED") means a document or an electronic equivalent in the format specified in Commission Implementing Regulation (EU) 2019/1715 laying down rules for the functioning of the information management system for official controls and its system components.

(2) Where the imported consignment is required to be accompanied by a CHED to the premises of final destination, the operator responsible for the consignment must complete the relevant parts of the document prior to the physical arrival of the consignment.

(3) The cases where and conditions under which the use of a CHED is required are specified in Commission Delegated Regulation (EU) 2019/1602 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council concerning the Common Health Entry Document accompanying consignments of animals and goods to their destination.

(4) Where a CHED is required the operator responsible for the consignment must comply with the provisions of Article 56 of the EU Regulation.

(5) An electronic equivalent refers to a CHED capable of being produced at any time by the person responsible for the consignment.]

Textual Amendments

F3 Reg. 10 inserted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(10)**

Importation

^{F4}**10.**

Textual Amendments

F4 Reg. 10 revoked (31.7.2014) by [The Trade in Animals and Related Products \(Amendment\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/196\)](#), regs. 1, **3(2)**

[^{F5}Border Control Posts

11.—(1) A border control post is a place, together with the facilities contained at that place, that has been designated by the Department in accordance with Article 59 and listed by the European Commission in accordance with Article 60 for the performance of the official controls set out in Article 47(1) of the EU Regulation.

(2) If at any time the relevant authority is of the opinion that any part of the inspection facilities at the border control post no longer complies with the requirements for approval, the relevant authority may, in accordance with Articles 61 to 63 of the EU Regulation, serve a notice on the operator—

- (a) specifying the breach;
- (b) providing a time limit within which the conditions must be complied with; and
- (c) prohibiting the use of that part of the facilities until the conditions of the approval are complied with.

(3) If the notice is not complied with, the Department may suspend the approval in relation to that part of the inspection facilities.

(4) If the operator of a border control post is determined by the relevant authority to be in serious breach of the requirements relating to the performance of official controls for any of the categories of animal or product for which it has been designated, or the conditions of the approval, or if the operation of the border control post creates a risk to human or animal health or animal welfare, the Department must suspend the approval of the border control post and order its activities to cease for all, or specified categories of animal or product, and must inform the Commission of the suspension and the reason.

(5) In this regulation, “the relevant authority” means—

- (a) in relation to animals and genetic material, the Department; or
- (b) in relation to products, the Department or the district council as the case may be.]

Textual Amendments

F5 Reg. 11 and heading substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(11)**

Modifications etc. (not altering text)

- C1** Reg. 11 excluded (18.11.2013) by [The African Horse Sickness Regulations \(Northern Ireland\) 2013 \(S.R. 2013/244\)](#), regs. 1, **4(b)** (with reg. 4)

Appointment of official veterinary surgeons and authorised officers

12.—(1) The Department shall appoint—

- (a) suitably trained veterinary surgeons to be official veterinary surgeons;
- (b) such appropriately trained assistants for each official veterinary surgeon appointed under sub-paragraph (a),

for any border inspection post authorised to import animals.

^{F6}(2) A district council shall appoint—

- (a) an authorised officer to carry out the regulatory functions in relation to fish and fishery products at each border inspection post in [^{F7}its] district;
- (b) such appropriately trained assistants for each authorised officer appointed under sub-paragraph (a),

if the approval for the border inspection post permits the importation of [^{F8}any fishery products, aquatic invertebrates, live bivalve molluscs, live echinoderms, live tunicates and live marine gastropods intended for human consumption].

(3) An authorised officer appointed under paragraph (2) shall have all the powers of an official veterinary surgeon in relation to those products referred to in paragraph (2).

(4) The appointment under paragraph (2) may be made by the Department rather than the district council if the approval for the border inspection post only permits the importation of animal by-products.

Textual Amendments

- F6** By [The Trade in Animals and Animal Products \(Legislative Functions\) and Veterinary Surgeons \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1225\)](#), regs. 1(3), **21(5)**; 2020 c. 1, Sch. 5 para. 1(1), it is provided that (31.12.2020) the words "Chapter 3 (fish and crustaceans, molluscs and other aquatic invertebrates) of the published nomenclature list" are substituted for the words "Chapter 3 of Annex I to Commission Decision 2007/275/EC"
- F7** Word in reg. 12(2)(a) substituted (31.7.2014) by [The Trade in Animals and Related Products \(Amendment\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/196\)](#), regs. 1, **3(3)**
- F8** Words in reg. 12(2) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(12)**

Commencement Information

- I2** Reg. 12 in operation at 1.1.2012, see [reg. 1](#)

Place of importation

13. An animal or product shall not be imported into Northern Ireland other than at a border inspection post designated for that animal or product.

Commencement Information

I3 Reg. 13 in operation at 1.1.2012, see [reg. 1](#)

Notification of importation

14.—^{F9}(1) The person responsible for a consignment of animals or products must notify the border control post of destination of the expected date of its arrival at the border control post at least one working day before it is due to arrive; but where the person can provide evidence of a logistical constraint preventing such notification, that the requirement may be satisfied by notification of its expected time of arrival at least four hours in advance.]

^{F10}(2)

(3) The notification shall be made by submitting the CVED with Part I completed.

^{F11}(4) In the case of a transshipment of products from one border control post to another, the person responsible for the consignment must notify the official veterinary surgeon at the border control post of destination of—

- (a) the estimated time of arrival;
- (b) the border control post at which the transshipment will be checked;
- (c) the identification and location of the consignment; and
- (d) the estimated time of departure.]

Textual Amendments

F9 Reg. 14(1) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(13)(a)**

F10 Reg. 14(2) omitted (14.12.2019) by virtue of [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(13)(b)**

F11 Reg. 14(4) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(13)(c)**

Commencement Information

I4 Reg. 14 in operation at 1.1.2012, see [reg. 1](#)

Procedure on importation

^{F12}**15.**—(1) When the consignment has been unloaded, the person responsible for the consignment must with reasonable expedition arrange for it, together with the [^{F13}relevant health certificate published by the Department of Agriculture, Environment and Rural Affairs], to be presented at the border control post inspection facilities to enable official controls in accordance with—

- (a) Chapter 5 of the EU Regulation, together with relevant implementing and delegated acts, and
- (b) the checks required by Article 37(1) of Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof.

(2) Any operator responsible for the consignment must ensure that the consignment is presented for official controls at the border control post at a reasonable time during the working day.

(3) The competent authority must carry out all necessary official controls specified in paragraph (1) and may only issue CHED permitting entry if—

- (a) the consignment complies with the [F14 conditions of trade relevant to it in any retained EU law or European Union] instrument listed in Schedule 2;
- (b) the importation is not prohibited under paragraph (4); and
- (c) the correct fee for the checks has been or will be paid.

(4) In the case of live animals, the official veterinary surgeon must not issue a CHED permitting entry if—

- (a) the animals are from a territory or part of a territory of a third country not included in the lists drawn up in accordance with legislation of the European Union for the species concerned or from which imports are prohibited under that legislation;
- (b) the animals are suffering from or are suspected to be suffering from or infected by a contagious disease or a disease presenting a risk to human or animal health;
- (c) the exporting third country has not complied with the requirements provided for in legislation of the European Union;
- (d) the animals are not in a fit state to continue their journey; or
- (e) the veterinary certificate or document accompanying the animals does not meet the requirements of legislation of the European Union relating to importation.

(5) If there are no legislative requirements relating to the consignment, the official veterinary surgeon must not issue a CHED unless the importation has been authorised in writing under this paragraph by—

- (a) the Food Standards Agency for any product for which only public health requirements apply; or
- (b) the Department for any other product.

(6) An authorisation under paragraph (5)(a) may only be granted if the Agency is satisfied that the consignment does not pose a risk to human health.

(7) An authorisation under paragraph (5)(b) may only be granted if the Department is satisfied that the consignment does not pose a risk to the animal health status of the United Kingdom.

(8) The official veterinary surgeon must retain evidence of authorisation or refusal of a consignment for a period of three years from the date of the importation.]

Textual Amendments

- F12** Reg. 15 substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(14)**
- F13** Words in [reg. 15\(1\)](#) substituted (31.12.2020) by [The Trade in Animals and Animal Products \(Legislative Functions\) and Veterinary Surgeons \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1225\)](#), regs. 1(3), **21(6)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in [reg. 15\(3\)\(a\)](#) substituted (31.12.2020) by [The Trade in Animals and Animal Products \(Legislative Functions\) and Veterinary Surgeons \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1225\)](#), regs. 1(3), **21(6)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

[^{F15}Removal from the border control post

16.—(1) No person may remove a consignment from the border control post unless it is accompanied by a CHED issued by the official veterinary surgeon or the authorised officer (as appropriate) in the case of a consignment of fish and the movement is in accordance with that document.

(2) The person transporting it from the border control post must ensure that the document accompanies the consignment and must transport it directly to the destination specified therein.

(3) These requirements do not apply if the consignment is removed from the border control post under the authority of the relevant official veterinary surgeon or the authorised officer (as appropriate).

(4) In the case of live animals, the person responsible for the transport to the final destination must be in possession of the appropriate transport authorisation in accordance with Article 4 of Council Regulation (EC) 1/2005 on the protection of animals during transport and related operations inside the vehicle.

(5) In this regulation, requirements for a consignment to be “accompanied by a CHED” (and cognate expressions), in relation to a CHED in electronic form, refer to the CHED being capable of being produced at any time by the person responsible for the consignment.]

Textual Amendments

F15 Reg. 16 and heading substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(15)**

[^{F16}Supervision and monitoring consignments

17. Where a consignment is required to be taken under supervision from a border control post to a specific destination in [^{F17}Northern Ireland] or a member State—

- (a) the movement must be under customs supervision if it is specified in the CHED; and
- (b) on arrival, the occupier of the destination premises must immediately notify the Department and district council of its arrival.]

Textual Amendments

F16 Reg. 17 and heading substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(16)**

F17 Words in reg. 17 substituted (31.12.2020) by [The Animals \(Health, Identification, Trade and Veterinary Medicines\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/353\)](#), regs. 1(3), **8(3)**

Destination outside [^{F18}Northern Ireland]

18.—(1) This regulation relates to a consignment brought into Northern Ireland but intended for an ultimate destination outside [^{F19}Northern Ireland].

(2) In the case of an animal consigned to a destination outside the European Union, the person notifying its arrival shall provide documentary evidence that the country of destination will accept the animal, and the official veterinary surgeon at the border inspection post may refuse to accept the animal if this is not provided.

[^{F20}(3) Products that arrive at a border control post for an ultimate destination outside [^{F21}Northern Ireland], and which are subject to animal health check requirements in the relevant legislation listed in Schedule 2, may be taken directly from the border control post to a destination outside [^{F21}Northern Ireland] without a CHED, so long as the products do not remain for more than three days at an airport border control post and 30 days at a sea port border control post.]

[^{F22}(3A) Products that are not subject to import check requirements, and which arrive at a border control post for an ultimate destination outside [^{F23}Northern Ireland], may be taken directly from the border control post to their destination without a CHED, so long as the products do not remain at the border control post for more than 90 days.]

(4) If the consignment is intended to be sent to a destination in the European Union, and the importation of the product into the European Union is not permitted, the official veterinary surgeon shall reject the consignment.

Textual Amendments

- F18** Words in reg. 18 heading substituted (31.12.2020) by [The Animals \(Health, Identification, Trade and Veterinary Medicines\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/353\)](#), regs. 1(3), **8(4)(a)**
- F19** Words in reg. 18(1) substituted (31.12.2020) by [The Animals \(Health, Identification, Trade and Veterinary Medicines\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/353\)](#), regs. 1(3), **8(4)(b)**
- F20** Reg. 18(3) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(17)(a)**
- F21** Words in reg. 18(3) substituted (31.12.2020) by [The Animals \(Health, Identification, Trade and Veterinary Medicines\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/353\)](#), regs. 1(3), **8(4)(c)**
- F22** Reg. 18(3A) inserted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(17)(b)**
- F23** Words in reg. 18(3A) substituted (31.12.2020) by [The Animals \(Health, Identification, Trade and Veterinary Medicines\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/353\)](#), regs. 1(3), **8(4)(d)**

Commencement Information

- I5** Reg. 18 in operation at 1.1.2012, see [reg. 1](#)

Unchecked consignments

19.—(1) The Department or district council shall seize any consignment—

- (a) brought into Northern Ireland other than through a border inspection post approved for that animal, product or genetic material;
- [^{F24}(b) removed from a border control post without a CHED or the authority of the official veterinary surgeon or the authorised officer (as the case may be) at the post; or
- (c) transported from the border control post to a destination other than that specified in the entry document.]

(2) Where the Department or district council suspects that a consignment does not satisfy the conditions in the legislation in Schedule 2 relating to that animal, product or genetic material—

- (a) it may [^{F25}detain or,] seize, or cause the consignment to be [^{F25}detained or] seized, pending investigation; and
- (b) any costs incurred shall be at the expense of the person responsible for the consignment.

Textual Amendments

- F24** Reg. 19(1)(b)(c) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(18)**
- F25** Words in reg. 19(2)(a) inserted (31.7.2014) by [The Trade in Animals and Related Products \(Amendment\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/196\)](#), regs. 1, **3(5)**

Commencement Information

- I6** Reg. 19 in operation at 1.1.2012, see [reg. 1](#)

Action following failure of checks or seizure – products

^{F26}**20.**—(1) This regulation applies to any consignment of a product if the checks at a border control post show that the consignment does not comply with the rules referred to in Article 1(2) of the EU Regulation.

(2) The official veterinary surgeon or the authorised officer (as appropriate) must, after consultation with the importer or importer's representative, place the consignment under detention and refuse its entry into ^{F27}[Northern Ireland].

(3) The official veterinary surgeon or the authorised officer (as appropriate) may order the person responsible for the consignment—

- (a) to subject the consignment to special treatment in accordance with Article 71(1) and (2) or to any other measure necessary to ensure compliance with the rules referred to in Article 1(2) of the EU Regulation and, where appropriate and provided there is no risk to human or animal health, allocate the consignment for purposes other than those for which it was originally intended;
- (b) where health conditions permit, to require the person in charge of the consignment to re-dispatch the product in accordance with Article 72 of the EU Regulation from the same border control post to a destination outside the European Union agreed with the person responsible for the consignment, using the same means of transport, within a maximum time limit of 60 days from arrival at the border control post; or
- (c) if the person responsible for the consignment gives immediate agreement, re-dispatch is impossible or the 60-day time limit has elapsed, to destroy the products.

(4) The official veterinary surgeon or the authorised officer (as appropriate) may exceptionally authorise destruction, re-dispatch, special treatment, or any other measure that may be taken in respect of a consignment to be taken in respect of a part of the consignment only, provided that the action taken—

- (a) is such as to ensure compliance;
- (b) does not pose a risk to human or animal health; and
- (c) does not disrupt official control operations.

(5) Pending re-dispatch or confirmation of the reasons for rejection, the person responsible for the consignment must, at that person's own expense, store the consignment under the supervision of the enforcement authority.

(6) If a consignment of products seized at a place other than a border control post under regulation 19, the enforcement authority must order that such consignment be retained or recalled, and placed under official detention without delay, and paragraphs (2) and (3) of this regulation apply.

(7) The importer or the importer's representative is liable for the costs incurred in any measures taken under paragraphs (2) to (6), but is entitled to payment of a sum equal to the value of the product after deduction of these costs.

(8) The importer or the importer's representative may immediately, within one working day after notification of the non-compliance, make written representations to the Department regarding any decision taken under this regulation, and any such representations must be considered and a written response must be given by the Department within one working day of receiving such representations.]

Textual Amendments

- F26** Reg. 20 substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(19)**
- F27** Words in reg. 20(2) substituted (31.12.2020) by [The Animals \(Health, Identification, Trade and Veterinary Medicines\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/353\)](#), regs. 1(3), **8(5)**

Consignments of products likely to constitute a risk to animal or human health

[^{F28}**21.** If the official controls at the border control post indicate that the consignment is likely to constitute a danger to animal or human health, the official veterinary surgeon or the authorised officer (as the case may be) must immediately place the consignment under official detention and order that the person responsible for the consignment destroy it or arrange special treatment in accordance with Article 71 of the EU Regulation at that person's expense.]

Textual Amendments

- F28** Reg. 21 substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(20)**

Serious or repeated infringements and breach of maximum residue limits

[^{F29}**22.**—(1) If the official veterinary surgeon or the authorised officer (as appropriate) suspects that products entering [^{F30}Northern Ireland] from a particular third country, part of a third country or establishment in a third country have been the subject of serious contraventions of any import requirement, or contraventions that form part of a series, or where those checks reveal that maximum residue levels have been exceeded, this regulation applies to the next ten consignments or a net weight of 300 tonnes, whichever is the lowest, imported from that third country, or (as the case may be) the particular part of a third country or establishment to which the suspicion relates.

(2) If the official veterinary surgeon or the authorised officer (as appropriate) has reason to suspect fraudulent or deceptive practices by an operator responsible for a consignment the Department may apply intensified official controls.

(3) The official veterinary surgeon or the authorised officer (as appropriate) must carry out a physical check on the suspected non-compliant consignment and take appropriate measures in accordance with Section 3 of Chapter 5 of Title II.

(4) The person responsible for the consignment must lodge with the official veterinary surgeon a deposit or guarantee sufficient to assure payment of all charges, including the taking of samples, and tests or analysis.]

Textual Amendments

- F29** Reg. 22 substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(21)**
- F30** Words in reg. 22(1) substituted (31.12.2020) by [The Animals \(Health, Identification, Trade and Veterinary Medicines\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/353\)](#), regs. 1(3), **8(5)**

Action following failure of checks or seizure – animals

[^{F31}**23.**—(1) If the checks at a border control post show that an animal does not comply with the rules referred to in Article 1(2) of the EU Regulation relating to that animal, or where such checks reveal an irregularity, the official veterinary surgeon must initially place the animal under detention, isolation or quarantine, as appropriate, where it must be kept, cared for or treated under appropriate conditions pending further official decision on the fate of the animal.

(2) Unless immediate action is necessary in order to respond to a risk to human or animal health or animal welfare or to the environment, the official veterinary surgeon may, after consultation with the importer or the importer's representative, order the person responsible for the consignment—

- (a) to shelter, feed and water, and if necessary, treat the animal;
- (b) if necessary, to place it in quarantine or isolate it for so long as is necessary to ensure that there is no risk to human or animal health; or
- (c) to re-dispatch the animal in accordance with Article 72 of the EU Regulation without delay.

(3) If re-dispatch is impossible, in particular for welfare reasons, the official veterinary surgeon may order the importer or the importer's representative to arrange for the slaughter of the animal to spare any avoidable pain, distress or suffering.

(4) If an animal is seized under regulation 19 at a place other than a border control post the enforcement authority must order the consignment to be retained or recalled, and placed under official detention without delay, and paragraphs (1) and (2) shall apply.

(5) The official veterinary surgeon may exceptionally authorise partial destruction, re-dispatch, special treatment, or any other measure that may be taken in respect of a consignment of animals to be taken in respect of a part of any such consignment, provided that such action—

- (a) is such as to ensure compliance with the import check requirements of the EU Regulation and any relevant Implementing Regulations and Delegated Regulations made under it;
- (b) does not pose a risk to human or animal health; and
- (c) does not disrupt official control operations.

(6) The importer or the importer's representative is liable for the costs incurred in these measures but is entitled to payment of a sum equal to the slaughter value of the animal after deduction of these costs.]

Textual Amendments

- F31** Reg. 23 substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(22)**

Appeals

^{F32}**24.**

Textual Amendments

- F32** Reg. 24 omitted (14.12.2019) by virtue of [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(23)**

Additional requirements in specific cases

- 25.** Part 2 of Schedule 3 makes additional requirements for specific cases.

Commencement Information

- I7** Reg. 25 in operation at 1.1.2012, see [reg. 1](#)

Exclusions

- 26.** The provisions of this Part do not apply in the cases specified in Schedule 4.

Commencement Information

- I8** Reg. 26 in operation at 1.1.2012, see [reg. 1](#)

Re-importation of [^{F33}animals and] products

27.—^{F34}(1) An official veterinary surgeon at a border control post must authorise the re-importation of consignments of the categories of animals and products referred to in points (a) and (b) of Article 47(1) originating from, and returning to, the Union following a refusal of entry by a third country provided that—

- (a) animals and germinal products that have been authorised in advance by the competent authority comply with the relevant animal health and animal welfare requirements;
- (b) products of animal origin and composite products comply with animal and public health requirements relating to consignments of products for human consumption originating in and returning to the Union following a refusal of entry by a third country; and
- (c) animal by-products comply with the animal health requirements laid down in Annex XIV to Commission Regulation (EU) 142/2011 for the entry of consignments of animal by-products originating from and returning to, the Union following refusal of entry by a third country.]

^{F35}(1A) In paragraph (1), “Commission Regulation (EU) 142/2011” means Commission Regulation (EU) 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.]

(2) The official veterinary surgeon shall carry out a documentary and identity check and if necessary a physical check.

(3) The importer shall—

- (a) transport the consignment directly to the establishment of origin in the member State where the certificate was issued, in leak-proof means of transport, identified and sealed by the official veterinary surgeon at the border inspection post so that the seals will be broken whenever the container is opened; or

[^{F36}(b) dispose of any product comprising the consignment in accordance with Council Regulation (EC) No. 1069/2009 of the European Parliament and of the Council on laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing (EC) No. 1774/2002 (Animal by-products Regulation)]

Textual Amendments

- F33** Words in [reg. 27](#) heading inserted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(24)(a)**
- F34** [Reg. 27\(1\)](#) substituted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(24)(b)**
- F35** [Reg. 27\(1A\)](#) inserted (14.12.2019) by [The Official Controls \(Animals, Feed and Food\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/227\)](#), regs. 1, **20(24)(c)**
- F36** [Reg. 27\(3\)\(b\)](#) substituted (31.7.2014) by [The Trade in Animals and Related Products \(Amendment\) Regulations \(Northern Ireland\) 2014 \(S.R. 2014/196\)](#), regs. 1, **3(6)**
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Commencement Information

- I9** [Reg. 27](#) in operation at 1.1.2012, see [reg. 1](#)

Admission of products into warehouses

28. A person shall not bring a consignment of products that does not comply with the import requirements of these Regulations into a warehouse [^{F37}in contravention of Section 2 (customs warehousing) or Section 3 (free zones) of Chapter 3 of Title VII of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code].

Textual Amendments

- F37** Words in [reg. 28](#) substituted (11.4.2019) by [The Animal Health and Welfare \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/82\)](#), reg. 1, **Sch. 5 para. 23**
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Commencement Information

- I10** [Reg. 28](#) in operation at 1.1.2012, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Trade in Animals and Related Products Regulations (Northern Ireland) 2011, PART 3.