

## SCHEDULE 2

Regulations 5, 13, 18 and 33

### Additional requirements in specific cases

## PART 1

### Additional requirements for trade between member States

#### **Assembly centres and dealers in cattle, pigs, sheep or goats**

1.—(1) The Scottish Ministers may authorise premises to operate as an assembly centre or dealer's premises in accordance with Council Directive [64/432/EEC](#) (in the case of cattle and pigs) or Council Directive [91/68/EEC](#) (in the case of sheep and goats).

(2) The authorisation must specify the dealer or operator authorised to operate the premises.

(3) The Scottish Ministers must be satisfied that the dealer or operator will operate the premises in accordance with Council Directive [64/432/EEC](#) or Council Directive [91/68/EEC](#).

#### **Transport of cattle, pigs, sheep or goats**

2.—(1) Any person transporting cattle, pigs, sheep or goats to another member State must comply with this paragraph.

(2) The transporter must be approved for the purpose by the Scottish Ministers.

(3) The transporter must, for each vehicle used for the transport of those animals, keep a register containing the following information—

- (a) places and dates of pick-up, and the name or business name and address of the holding or assembly centre where the animals are picked up;
- (b) places and dates of delivery, and the name or business name and address of the consignee;
- (c) species and number of animals carried;
- (d) date and place of disinfection; and
- (e) the unique identifying number of accompanying health certificates.

(4) The register must be kept for at least three years.

(5) The transporter must ensure that the means of transport is constructed in such a way that animal faeces, litter and feed cannot leak or fall out of the vehicle.

(6) The transporter must give a written undertaking to the Scottish Ministers stating that—

- (a) in the case of cattle or pigs, Council Directive [64/432/EEC](#), and in particular the provisions laid down in Article 12 of that Directive and the provisions of that Directive relating to the appropriate documentation that must accompany the animals, will be complied with;
- (b) in the case of sheep or goats, Council Directive [91/68/EEC](#), and in particular the provisions laid down in Article 8c of that Directive and the provisions of that Directive relating to the appropriate documentation that must accompany the animals, will be complied with; and
- (c) the transport of animals will be entrusted to staff who possess the necessary ability, professional competence and knowledge.

#### **Poultry Health Scheme**

3. For the purposes of Articles 2 and 6 of, and Annex II to, Council Directive [2009/158/EC](#) on animal health conditions governing intra-Community trade in, and imports from third countries of,

poultry and hatching eggs<sup>(1)</sup> which establishes a poultry health scheme relating to trade between member States—

- (a) the approval of establishments and laboratories is granted by the Scottish Ministers; and
- (b) an annual inspection of an approved establishment must be carried out by a veterinary surgeon appointed for that purpose by the Scottish Ministers for the establishment to remain on the register.

### **Approvals for the Balai Directive**

4.—(1) No person may trade in apes (*simiae* and *prosimiae*) other than between a centre approved by the Scottish Ministers and a centre approved by the competent authority for the other member State in accordance with Article 5 of Council Directive [92/65/EEC](#)<sup>(2)</sup>.

(2) A body seeking approval to use the different health provisions set out in Article 13 of the Council Directive [92/65/EEC](#) must be approved by the Scottish Ministers.

(3) The Scottish Ministers must suspend, withdraw or restore approvals in sub-paragraph (1) or (2) in the circumstances set out in point 6 of Annex C to Council Directive [92/65/EEC](#).

(4) The Scottish Ministers must approve a body authorised to engage in trade between member States in semen, ova and embryos in accordance with Article 11 of Council Directive [92/65/EEC](#) if the body meets the conditions applicable to it in respect of approval and the performance of its duties as required by Article 11 of and Annex D to that Directive.

(5) By way of derogation from sub-paragraph (1), the Scottish Ministers may authorise in writing a body approved under this paragraph to acquire an ape (*simiae* and *prosimiae*) belonging to an individual.

### **Circuses**

5.—(1) The Scottish Ministers are the competent authority for the purposes of [Commission Regulation \(EC\) No 1739/2005](#) laying down animal health requirements for the movement of circus animals between Member States<sup>(3)</sup>.

(2) No person may contravene Article 8 of that Commission Regulation (keeping of records).

(3) Notwithstanding regulation 5(1)(a) of these Regulations, no person may contravene Article 10(1) of that Commission Regulation (notification of movement).

### **Animal by-products**

6. Animal by-products to which Article 48 of Regulation [\(EC\) No 1069/2009](#) applies may only be consigned to another member State, or brought into Scotland from another member State, in accordance with that Article.

(1) OJ L 343, 22.12.2009, p.74, as last amended by Commission Implementing Decision 2011/879/EU (OJ L 343, 23.12.2011, p.105).

(2) OJ L 268, 14.9.1992, p.54, as last amended by Commission Regulation (EU) No 176/2010.

(3) OJ L 279, 22.10.2005, p.47.

## PART 2

### Additional provisions relating to imports from third countries

#### Arrival at premises of destination

7.—(1) This paragraph applies to elephants and to cattle, pigs, sheep, goats and all other animals of the taxa *Artiodactyla*, and their crossbreeds.

(2) Animals intended for immediate slaughter must be conveyed without delay from the border inspection post to the slaughterhouse of destination and slaughtered within five working days.

(3) In any other case the animals must be taken without delay from the border inspection post to the holding of destination and kept there for at least 30 days (unless consigned from the holding direct to a slaughterhouse).

#### Imported birds

8.—(1) The Scottish Ministers are the competent authority for Commission Regulation (EC) No 318/2007 laying down animal health conditions for imports of certain birds into the Community and the quarantine conditions thereof<sup>(4)</sup>.

(2) An importer must comply with Article 7 (transport of birds) of that Regulation.

(3) No person may release a bird from quarantine except in accordance with Article 16 (release of birds) of that Regulation.

#### Horses

9. When a horse is imported from a third country under Commission Decision [92/260/EEC](#), the official veterinarian must return the health certificate to the person accompanying the horse, and make a record of the certificate.

#### Ships stores

10. A product that does not comply with the requirements relating to it in the relevant instrument in Schedule 1 and any additional requirements relating to it in this Part and which is sent from a border inspection post to a ship, must be accompanied by the certificate specified in the relevant instrument in Schedule 1, and the master of the vessel must confirm delivery of the product by signing the certificate specified in Commission Decision [2000/571/EC](#) laying down the methods of veterinary checks for products from third countries destined for introduction into free zones, free warehouses, customs warehouses or operators supplying cross border means of sea transport<sup>(5)</sup> and returning it as soon as is reasonably practicable to the official veterinarian at the border inspection post.

#### Charges for veterinary checks from New Zealand

11. The charge for veterinary checks carried out on a consignment from New Zealand is €1.50 for each tonne of the consignment, subject to a minimum of €30 and a maximum of €350, save that where the actual cost of the veterinary checks carried out on a consignment exceeds €350, the amount of the charge is the actual cost.

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(4) OJ L 84, 24.3.2007, p.7, as last amended by Commission Implementing Regulation (EU) No 66/2012 (OJ L 23, 26.1.2012, p.1).

(5) OJ L 240, 23.9.2000, p.14.

***Status:*** *This is the original version (as it was originally made).*