
STATUTORY INSTRUMENTS

1992 No. 3298

AGRICULTURE

**The Products of Animal Origin
(Import and Export) Regulations 1992**

Made - - - - *23rd December 1992*
Laid before Parliament *30th December 1992*
Coming into force - - *1st January 1993*

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to the common agricultural policy of the Economic Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2), hereby make the following Regulations:

PART I
INTRODUCTION

Title, commencement, interpretation and application

1.—(1) These Regulations may be cited as the Products of Animal Origin (Import and Export) Regulations 1992 and shall come into force on 1st January 1993.

(2) In these Regulations, unless the context otherwise requires, any expressions used have the meaning they bear in Council Directive [89/662/EEC](#) concerning veterinary checks in intra-Community trade with a view to the completion of the internal market(3) and Council Directive [90/675/EEC](#) laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries(4) both as read in accordance with Schedule 1;

“aquaculture product” means a product controlled by Council Directive [91/67/EEC](#) concerning the animal health conditions governing the placing on the market of aquaculture products and animals(5)

“border inspection post” means a place specified in Schedule 2;

(1) S.I. [1972/1811](#).
(2) [1972 c. 68](#).
(3) OJ No. L395, 30.12.89, p. 13 as amended in accordance with Schedule 1.
(4) OJ No. L373, 31.12.90, p. 1 as amended in accordance with Schedule 1.
(5) OJ No. L46, 12.2.91, p. 1.

“customs warehouse” has the same meaning as in Council Regulation 2503/88/EEC on customs warehouses⁽⁶⁾;

“Divisional Veterinary Officer” means a veterinary surgeon appointed by the Minister to be responsible for an animal health division;

“establishment” means any undertaking which produces, stores or processes products of animal origin;

“fishery products” has the same meaning as in Council Directive 91/493/EEC laying down the health conditions for the production and the placing on the market of fishery products⁽⁷⁾

“free zone” and “free warehouse” have the same meaning as in Article 1.4.a and 1.4.b of Council Regulation 2504/88/EEC on free zones and free warehouses⁽⁸⁾

“health conditions” includes conditions relating to both animal health and public health;

“import” means import into Great Britain;

“live bivalve molluscs” has the same meaning as in Council Directive 91/492/EEC laying down the health conditions for the production and the placing on the market of live bivalve molluscs⁽⁹⁾

“local authority” means—

(a) in relation to England and Wales—

- (i) where there is a Port Health Authority, that authority;
- (ii) where there is not a Port Health Authority, as respects each London borough, or district, the council of that borough or district;
- (iii) as respects the City of London, the Common Council;

(b) in relation to Scotland—

- (i) where there is a port local authority (including a joint port local authority) constituted under section 172 of the Public Health (Scotland) Act 1897⁽¹⁰⁾ that authority;
- (ii) where there is not a port local authority, the islands or district council;

“Minister” means the Minister of Agriculture, Fisheries and Food;

“official veterinary surgeon”, except in Regulation 7, means a person designated under Regulation 2 of these Regulations;

“place of destination” means the address or addresses to which the consignment is consigned by the consignor;

“product of animal origin” in relation to intra-Community trade means—

- (a) a product controlled by one of the directives in Annex A to Council Directive 89/662/EEC (except for aquaculture products not intended for human consumption), or
- (b) a product in Annex B to Council Directive 89/662/EEC;

and in relation to third country trade means those products as well as—

- (c) aquaculture products;
- (d) semen, embryos, ova and hatching eggs referred to in Council Directive 90/425/EEC concerning veterinary and zootechnical checks applicable in intra-Community trade in

⁽⁶⁾ OJ No. L225, 15.8.88, p. 1.

⁽⁷⁾ OJ No. L268, 24.9.92, p. 15.

⁽⁸⁾ OJ No. L225, 15.8.88, p. 8.

⁽⁹⁾ OJ No. L268, 24.9.91, p. 1.

⁽¹⁰⁾ 1897 c. 38 (60 & 61 Vict.).

certain live animals and products with a view to the completion of the internal market⁽¹¹⁾ as read in accordance with Schedule 1,

- (e) hay and straw, and
- (f) any product controlled by Directive 90/667/EEC laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedingstuffs of animal or fish origin⁽¹²⁾

(3) For the purposes of these Regulations, goods are in customs temporary storage arrangements if they have been presented to Customs under Article 14 of Council Regulation 4151/88/EEC laying down the provisions applicable to goods brought to the customs territory of the Community⁽¹³⁾ and not assigned a customs-approved treatment or use in accordance with Article 14 of that Regulation.

(4) Any reference in these Regulations to a directive is a reference to that directive as amended.

(5) All notices served under these Regulations shall be in writing and may be made subject to conditions and may be amended, suspended or revoked in writing at any time.

(6) Unless the context otherwise requires, any reference in these Regulations to a Schedule is a reference to a Schedule of these Regulations.

(7) These Regulations (other than Regulation 22) shall not apply in the circumstances described in Article 14 of Council Directive 90/675/EEC.

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

Official veterinary surgeons

2.—(1) The Minister may designate a veterinary surgeon as an official veterinary surgeon for the purposes of these Regulations.

(2) Subject to paragraphs (3) and (4) below, the Minister may, at any time, revoke or suspend the designation of any person as an official veterinary surgeon if it appears to the Minister that such person is unfit to perform one or more of the functions of an official veterinary surgeon under these Regulations.

(3) Where the Minister revokes or suspends a designation under paragraph (2) above he shall, as soon as possible, give to the person whose designation has been revoked or suspended a notice in writing of the reasons for the revocation or suspension and shall afford him an opportunity of making representations in writing to the Minister with regard to the revocation or suspension or of being heard by a person appointed for the purpose by the Minister.

(4) A notice given under paragraph (3) above shall inform the person to whom it is given of his right to make representations in writing, of the manner in which and the time (not being less than 21 days from the giving of the notice) within which such representations may be made and of his right to be heard and of the manner in which and the time (not being less than 21 days from the giving of the notice) within which he may apply for an opportunity to be heard; and, in the event of the designated person making any representations (whether orally or in writing) to the Minister under this paragraph, the Minister shall reconsider whether that person is unfit to perform one or more of the functions of an official veterinary surgeon under these Regulations and shall reconsider, as soon as practicable, his decision to revoke or suspend the designation under paragraph (2) above in the light of those representations.

(5) The powers of the Minister under this Regulation shall be exercised in Scotland and Wales by the Secretary of State instead of by the Minister.

⁽¹¹⁾ OJ No. L224, 18.8.90, p. 29 as read with the provisions in Schedule 1.

⁽¹²⁾ OJ No. L363, 27.12.90, p. 51.

⁽¹³⁾ OJ No. L367, 31.12.88, p. 1.

Enforcement

3.—(1) Except where expressly otherwise provided, these Regulations shall be executed and enforced by the local authority.

(2) Subject to paragraph (4) below, where the Minister is satisfied that a local authority is failing or has failed to execute or enforce these Regulations, either generally or in any individual case or in any class of case, he may, having given notice to that authority, empower one of the Minister's officers to execute or enforce them in place of that authority.

(3) The Minister may recover from the local authority in default any expenses reasonably incurred by him under paragraph (2) above.

(4) In addition to the powers in paragraph (2) above, the Minister may direct, in relation to cases of a particular description or a particular case, that these Regulations shall be executed and enforced by the Minister instead of the local authority, or jointly by the Minister and the local authority.

(5) The powers of the Minister under paragraphs (2), (3) and (4) above shall, in relation to matters concerning public health where the products concerned are subject to intraCommunity trade, be exercised, instead of by the Minister—

- (a) in England, by the Secretary of State for Health;
- (b) in Scotland and Wales, by the Secretary of State.

Powers to give directions

4.—(1) The following Ministers, acting alone or jointly, namely, the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland, the Secretary of State for Wales and the Secretary of State concerned with health in England shall have power to give directions in writing to a local authority concerning the execution and enforcement of these Regulations.

(2) In the exercise of the functions conferred on them by these Regulations, every local authority shall have regard to any relevant provision of such directions.

(3) Any such directions shall, on the application of the Minister or the Secretary of State be enforceable by mandamus or, in Scotland, by an order of the Court of Session under section 45 of the Court of Session Act 1988(14).

PART II

INTRA-COMMUNITY TRADE

Application of Part II

5. This Part of these Regulations shall apply to trade with other member States in products of animal origin originating in a member State and in such products coming from third countries which are in free circulation in member States.

Exports

6.—(1) No person shall export or consign for export to another member State any product of animal origin unless

- (a) if it is controlled by one or more of the directives in Schedule 3, it complies with the relevant provisions of those directives (including any option permitted by those directives which has been exercised by the member State of destination) and any additional

(14) 1988 c. 36.

requirements or health conditions of the member State of destination and is accompanied by any documents required under the directive or by the member State of destination;

- (b) in any other case, it fulfils all the health conditions of the member State of destination, including any documentary requirements.

(2) Each person who has control of an establishment shall ensure that all products of animal origin intended for export to another member State comply with the requirements in paragraph (1) above.

(3) Where products of animal origin are consigned to more than one destination, they shall be grouped together in as many batches as there are places of destination, and the consignor shall ensure that all documents required in paragraph (1) are provided with each batch.

(4) No person shall export or consign for export to another member State any product of animal origin specified in Annex B to Council Directive [89/662/EEC](#) if it cannot (except for labelling reasons) legally be marketed in Great Britain.

Inspection and checking of imports

7.—(1) At a border inspection post, unless the products are transported by regular, direct means of transport linking two geographical points of the Community, an authorised officer of a local authority shall carry out documentary checks of all imported products of animal origin if he considers it necessary to establish the place of origin, and products of animal origin originating in a member State shall be dealt with in accordance with this Part of the Regulations.

(2) An authorised officer of the Minister or of a local authority shall have power to inspect at their place of destination, all products of animal origin imported into Great Britain from another member State, so as to ensure that all animal and public health conditions relating to imports are complied with, including any documentary requirements.

(3) An authorised officer of the Minister or of a local authority shall have power to inspect such products of animal origin at any time during transport to their place of destination if he has information leading him to suspect an infringement of these Regulations or any animal or public health condition relating to imports, including requirements relating to the means of transport.

(4) Any powers exercised under Regulation 22 below shall only be exercised in accordance with this Regulation in relation to imports from another member State until they reach their place of destination and at the place of destination.

(5) Where an establishment is supervised by an official veterinary surgeon, he shall ensure that all products of animal origin entering the establishment from another member State comply with all animal and public health import conditions relating to marking and accompanying documentation, and shall forthwith notify the appropriate Divisional Veterinary Officer of any irregularity or anomaly.

(6) Where an establishment is not supervised by an official veterinary surgeon, any person who markets any product of animal origin consigned to him from another member State, or divides up batches of such product for distribution or marketing, shall check, before the batch is divided up or marketed, that all products of animal origin comply with all animal and public health conditions relating to marking and accompanying documentation, and shall forthwith notify the appropriate Divisional Veterinary Officer of any irregularity or anomaly.

(7) In this Regulation “official veterinary surgeon” means a person designated as such by the Minister (or in Scotland and Wales, the Secretary of State) for the purposes of supervising the establishment in question.

Removal of documents

8. No person shall remove from any consignment of products of animal origin the documents provided in accordance with the directives listed in Schedule 3 or any relevant national law relating

to health conditions, or divide up any batch for which documents are so provided, until the checks required under Regulation 7 above have been carried out.

Duties of consignees

9. Any person who has received by way of trade products of animal origin consigned to him from another member State shall—

- (a) keep a register recording the delivery for a period of three years;
- (b) keep all documentation provided with such consignment for a period of three years or such other period as may be specified in the directive dealing with the product;
- (c) if an authorised officer of the Minister or the local authority has by notice required him to do so, forthwith report to the person specified in the notice the arrival or anticipated arrival of any product specified in the notice by the quickest practicable means (and, if such report is given orally, confirm the report in writing) and, if required to do so by the notice, keep such product at the place to which it was consigned for 24 hours from the time of arrival or until it has been inspected by such officer if sooner.

Consignments posing a risk to health and illegal consignments

10.—(1) If an authorised officer of the Minister or a local authority establishes in imported products of animal origin the presence of agents responsible for a disease named in Council Directive [82/894/EEC](#) on the notification of animal diseases within the Community⁽¹⁵⁾ or of a zoonosis, a disease or any cause likely to constitute a serious hazard to animals or humans, or that the products come from an area infected by an epizootic disease, he shall, by notice served on the person appearing to him to have charge of the consignment—

- (a) in all cases, prohibit the movement of the consignment except as shall be specified in the notice;
- (b) in addition to prohibiting the movement—
 - (i) in the case of animal health aspects relating to products subject to one of the treatments referred to in Article 4 of Council Directive [80/215/EEC](#) on animal health problems affecting intra-Community trade in meat products⁽¹⁶⁾ order the relevant treatment specified in that directive;
 - (ii) in any other case order the batch to be destroyed or used in some other way.

(2) Subject to the following paragraph, if an authorised officer of the Minister or a local authority establishes that the products do not meet an animal or public health condition relating to import he may, by means of a notice served on the person appearing to him to be in charge of the consignment prohibit the movement of the consignment except as specified on the notice.

(3) If a notice is served under paragraph (2) above, the officer serving the notice shall serve on the person appearing to him to be the owner of the goods a notice—

- (a) ordering the destruction of the goods, or
- (b) if public and animal health considerations so permit, giving the person appearing to him to be the owner the choice of destroying the goods, or using the goods for such other purposes as may be specified in the notice, including returning them (with the authorisation of the competent authority of the country of the establishment of origin) to their country of origin.

⁽¹⁵⁾ OJ No. L378, 31.12.82, p. 58; relevant amending instrument is Commission Decision [89/162/EEC](#), OJ No. L61, 4.3.89, p. 48.

⁽¹⁶⁾ OJ No. L47, 21.2.80, p. 4; relevant amending instruments are Council Directive [80/1100/EEC](#) (OJ No. L325, 1.2.80, p. 17), Council Directive [87/491/EEC](#) (OJ No. L279, 2.10.87, p. 27) and Council Directive [88/660/EEC](#) (OJ No. L382, 31.12.88, p. 35).

(4) If the only way in which the consignment fails to comply with legislation is irregularity in documentation, any notice specifying action under paragraph (3) above shall grant the consignor a period of seven days to produce the correct documentation before such action is taken.

(5) In the event of a notice not being complied with, an authorised officer of the Minister or a local authority shall be empowered to destroy the goods.

(6) The costs of returning the consignment, storing the goods, putting them to other uses or destroying them shall be borne by the consignee, unless destroyed under the provisions of paragraph (1) above, in which case the costs shall be borne by the consignor or his agent.

(7) An officer of a local authority exercising any of the powers under this Regulation shall forthwith notify the appropriate Divisional Veterinary Officer of any findings arrived at, the decisions taken and the reasons for such decisions.

Repeated irregularities

11. Where in accordance with Article 8.1 of Council Directive [89/662/EEC](#) another member State has notified the Minister of repeated irregularities concerning products of animal origin from an establishment in Great Britain, the Minister and the local authority shall intensify checks on products coming from the establishment in question, and if there are serious animal or public health grounds, suspend any approval granted to that establishment.

Defence

12. It shall be a defence for any person charged with an offence relating to accompanying documentation under Regulations 8 or 9 above to prove—

- (a) that the consignment received was part of a larger consignment which was consigned to another address,
- (b) that the batch had, so far as he was aware, the correct documentation at the time of delivery, and
- (c) that he believed that the documentation would be delivered to the point of final destination of the last part of the batch.

PART III

THIRD COUNTRY TRADE

Application of Part III

13. This Part of these Regulations shall have effect in relation to imports of products of animal origin (except for aquaculture products which are not for human consumption) from countries which are not member States and including—

- (a) an import through another member State in the circumstances set out in Articles 8.4 and 11.2.b of Council Directive [90/675/EEC](#), and
- (b) goods which are intended to be placed in a customs warehouse or free zone or free warehouse.

Border inspection posts

14.—(1) A local authority in whose area there is a border inspection post and which is enforcing these Regulations shall appoint an official veterinary surgeon (or, in the case of a post which will only carry out checks in accordance with Regulation 16 below, an authorised officer of the local

authority) together with such assistants as may be necessary to be in charge of all checking and certification under this Part of the Regulations at the post, and including—

- (a) carrying out or supervising all necessary checks,
 - (b) signing all necessary certificates and certified copies,
 - (c) retaining original certificates where necessary and issuing certified copies,
 - (d) performing any other duties necessary for the enforcement of these Regulations at the post, and
 - (e) executing and enforcing the relevant provisions of Council Directive [90/675/EEC](#).
- (2) No person shall import any product of animal origin except at a border inspection post.
- (3) The only products of animal origin which may be imported through a border inspection post are those listed opposite that border inspection post in Schedule 2.
- (4) If products are imported at any place other than a border inspection post, or at a border inspection post not authorised to accept those products, an authorised officer of the Minister or a local authority may, by notice in writing, require the person appearing to him to be in charge of the consignment to destroy it, re-export it, or move it to a border inspection post, in each case under the control and direction of the authorised officer.
- (5) In the event of a notice not being complied with, an authorised officer of the Minister or a local authority may destroy the products.
- (6) The costs incurred in destroying, storing or transporting the products shall be borne by the importer or his agent.
- (7) The operator of any place of import other than a border inspection post who becomes aware of the importation of any product of animal origin which should have been imported through a border inspection post shall immediately detain the consignment, notify the local authority for the point of import and shall not release the consignment until authorised in writing to do so by an officer of the Minister or of the local authority.

Import procedure

15.—(1) No person shall import any product of animal origin (except fishery products or live bivalve molluscs) unless he has given to the official veterinary surgeon through the local authority for the border inspection post—

- (a) for consignments arriving by air, notice of arrival given during the working day of the border inspection post and giving at least six hours notice of arrival;
 - (b) in any other case, notice of arrival of at least one working day of the border inspection post.
- (2) The notice referred to in paragraph (1) above shall be in accordance with Article 4.4 of Council Directive [90/675/EEC](#).
- (3) No person shall remove any product of animal origin to which this Regulation applies from customs temporary storage arrangements except as provided for in Regulations 16(2), 18 or 19 below unless there has been provided to the Customs and Excise—
- (a) the certificate signed by the official veterinary surgeon and issued under Article 10.1, second indent, of Council Directive [90/675/EEC](#) that the veterinary checks (or, in the case of Articles 8.4 and 11.2.b of that directive dealing with deferred checks, or Article 12 of that directive dealing with the transit of products from one third country to another, the checks specified in those articles) have been carried out on the products in question in accordance with Articles 4 and 8 of that directive to his satisfaction, and

(b) proof that those checks have been paid for, and that, where relevant, a deposit covering any costs provided for in Article 16(3) of that directive has been lodged with the local authority.

(4) The official veterinary surgeon shall ensure that all checks required by Council Directive 90/675/EEC are carried out to his satisfaction, either by him or under his supervision, before he signs the certificate required under paragraph (3) above.

(5) Before authorising the release of any products, the official veterinary surgeon shall, in cases where there is a doubt whether such product should be released, consult the appropriate Divisional Veterinary Officer, and following such consultation shall take no further action without first informing him.

Import procedure on fishery products

16.—(1) In the case of the importation of fishery products or live bivalve molluscs the prohibitions and procedures in Regulation 15 shall apply except that all powers and duties of an official veterinary surgeon shall be carried out by an authorised officer of the local authority.

(2) Where an authorised officer of a local authority is satisfied that the movement of these products would not give rise to a public or animal health risk he may authorise their removal from customs temporary storage arrangements under customs control to different customs temporary storage arrangements at the same border inspection post for the checks to be carried out.

Free zones and free warehouses

17. A person transporting products of animal origin between customs temporary storage arrangements and a free zone or free warehouse, or from one free zone or free warehouse to another, shall only do so—

- (a) under customs control;
- (b) by means of transport sealed by the official veterinary surgeon or a person under his supervision (or, in the case of fishery products or live bivalve molluscs, an authorised officer of the local authority);
- (c) if the products are accompanied by a document signed by the official veterinary surgeon (or, in the case of fishery products or live bivalve molluscs, an authorised officer of the local authority) specifying which checks have been carried out.

Transshipment under customs control

18.—(1) This Regulation applies to the transshipment of products of animal origin between one aircraft or vessel and another connecting two countries, neither of which is a member State and where the products do not leave customs control and do not leave the border inspection post of arrival except for re-exportation.

(2) No person shall carry out a transshipment to which this Regulation applies unless the notice provided under Regulations 15 or 16 also specifies the means by which the products will be transhipped, and the vessel or aircraft to which they are to be transhipped.

(3) When the transshipment entails the products being temporarily stored with a view to being forwarded to a predetermined third country, the official veterinary surgeon (or, in the case of fishery products and live bivalve molluscs, an authorised officer of the local authority) shall—

- (a) carry out a documentary and identity check of the products;
- (b) serve a notice on the person having control of the products specifying the time by which the products must leave Great Britain.

(4) If a notice served under the preceding paragraph is not complied with, the products shall be dealt with in accordance with Regulations 15 or 16.

Consignments posing a risk to health and illegal consignments

19.—(1) Subject to paragraphs (2) and (3) below, where checks at the border inspection post reveal that a consignment of products of animal origin does not comply with animal or public health conditions relating to import or, in the opinion of the official veterinary surgeon, constitutes a risk to animal or human health, an official veterinary surgeon or person acting under his supervision, after consulting the importer or his representative, shall have power to serve on the importer or his agent a notice—

- (a) permitting the use of the products for purposes other than human consumption if this is authorised under rules made under Article 16.2 of Council Directive [90/675/EEC](#);
- (b) ordering the re-dispatch of the consignment outside the European Economic Community; or
- (c) ordering the destruction of the consignment.

(2) Subject to paragraph (3) below, where products of animal origin do not comply with animal or public health conditions but are intended for re-export, the importer may, with the authorisation in writing of the official veterinary surgeon, transport the products for storage in a free zone or free warehouse and store them there provided that—

- (a) they correspond with their accompanying documents;
- (b) they are stored in separate rooms from the products destined to be put into free circulation in the territory of the European Economic Community;
- (c) they are not released except to a country outside the European Economic Community in accordance with Article 12 of Council Directive [90/675/EEC](#);
- (d) the importer has produced to the person operating the free zone or warehouse evidence that the local authority for the free zone or warehouse does not oppose the introduction of these products;
- (e) the official veterinary surgeon for the border inspection post of importation has specified the fact of the passage or storage of the products on the veterinary certificates or documents;
- (f) the means of land transport is cleansed and disinfected to the satisfaction of the local authority of the free warehouse or free zone before being used for further transport;
- (g) while they are there, they do not undergo any transformation other than dividing up the consignment.

(3) In the case of fishery products and live bivalve molluscs, the powers of the official veterinary surgeon shall be exercised by an authorised officer of the local authority.

(4) In the event of a notice not being complied with, the person serving the notice shall be empowered to destroy the consignment.

(5) Any notice served under this regulation shall state the reasons for the decision.

(6) The importer shall be liable for any costs incurred under this regulation.

PART IV

THIRD COUNTRY TRADE IN AQUACULTURE PRODUCTS

20. This Part of the Regulations shall have effect in relation to imports from countries which are not member States of aquaculture products which are not for human consumption, including in the circumstances set out in Regulation 13(a) and (b) above.

21. The provisions of Part III of these Regulations shall apply to aquaculture products as they apply to other imports, except that all duties placed on the official veterinary surgeon shall be performed by an officer of the Minister.

PART V

GENERAL

Enforcement powers

22.—(1) An authorised officer of the Minister or of a local authority shall, on producing, if required to do so, some duly authenticated document showing his authority, have the right at all reasonable hours to enter any business premises for the purposes of ascertaining whether there is or has been on the premises any breach of animal or public health conditions relating to the importation of products of animal origin, or whether there are any products on the premises in respect of which an offence may have been committed under these Regulations; and in this regulation “premises” includes any place, installation, vehicle, ship, vessel, boat, craft, hovercraft or aircraft.

(2) In enforcing these Regulations, an authorised officer of the Minister or of a local authority shall have the right to—

- (a) carry out inspections of premises, installations, means of transport, plant and equipment used for or relating to products of animal origin, cleaning and maintenance products, procedures used for the production and processing of products of animal origin and the marking and labelling and presentation of those products;
- (b) carry out checks on whether staff comply with the requirements of regulations relating to animal and public health;
- (c) take samples to establish whether or not these Regulations are being complied with, and detain products of animal origin pending the analysis of those samples by notice served on the person in charge of the products;
- (d) examine documentary or computer material relevant to their powers;
- (e) take with him a representative of the European Commission who is acting as an inspector for the purposes of Council Directives [89/662/EEC](#) or [90/675/EEC](#).

(3) If a justice of the peace, or in Scotland the sheriff, on sworn information in writing, is satisfied that there is reasonable ground for entry into any premises for any of the purposes of this regulation and either—

- (a) that admission to the premises has been refused, or a refusal is apprehended, and that notice of the intention to apply has been given to the occupier; or
- (b) that an application for admission, or the giving of such a notice, would defeat the object of the entry, or that the case is one of urgency, or that the premises are unoccupied or the occupier temporarily absent,

the justice or sheriff may by warrant signed by him, and valid for one month, authorise the authorised officer to enter the premises, if need be by reasonable force.

Serious threats to health in other countries

23.—(1) This Regulation shall apply where the Minister or the Secretary of State learns, either under the procedures set out in Article 9 of Council Directive [89/662/EEC](#) or Article 19 of Council Directive [90/675/EEC](#) or through any other means of the presence in any other country of a disease referred to in Council Directive [82/894/EEC](#), a zoonosis or any other disease or phenomenon liable to present a serious threat to public or animal health.

(2) In the circumstance described in paragraph (1) above, the Minister or Secretary of State may, for the purpose of preventing the spread of disease in Great Britain, by a declaration to be published in such manner as he thinks fit, give notice of the existence of any disease or zoonosis or other cause likely to constitute a serious hazard in another country, the area affected, and the types of products of animal origin affected.

(3) Upon such declaration being made any product of animal origin entering Great Britain which is the subject of the declaration shall be in breach of the animal or public health conditions relating to the import of the product.

(4) A declaration made under this Regulation may specify conditions under which the product which is the subject of the declaration may be imported.

Notification of decisions

24. If the consignor or his representative so requests, any decision taken refusing entry or varying the conditions of entry shall be forwarded to him in writing by the person taking the decision, giving the reasons for the decision and the details of his right of appeal against the decision, including the relevant time limits.

Returns

25. Local authorities shall send to the Minister (or, in Scotland and Wales, the Secretary of State)

- (a) details, categorised by country of origin and including a description of the product concerned, of consignments checked by them which have been refused, re-dispatched, destroyed or authorised for use other than for human consumption, and the reason for such action;
- (b) a list of all samples taken by them for the purposes of laboratory analysis, and the results of such analysis;
- (c) the total number of consignments checked by them, and the total weight of the consignments categorised by product and by country of origin.

Obstruction

26.—(1) No person shall—

- (a) intentionally obstruct any person acting in the execution of these Regulations,
- (b) without reasonable cause, fail to give to any person acting in the execution of these Regulations any assistance or information which that person may reasonably require of him for the purposes of his functions under these Regulations, or
- (c) furnish to any person acting in the execution of these Regulations any information which he knows to be false or misleading.

(2) Nothing in paragraph (1)(b) above shall be construed as requiring any person to answer any question or give any information if to do so might incriminate him.

Offences by bodies corporate

27.—(1) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—

- (a) any director, manager, secretary or other similar officer of the body corporate, or
- (b) any person who was purporting to act in any such capacity,

he, as well as the body corporate, shall be guilty of the offence and be liable to be proceeded against and punished accordingly.

(2) For the purposes of paragraph (1) above, “director” in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

(3) Where an offence under these Regulations is committed in Scotland by a Scottish partnership and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner, he as well as the partnership shall be guilty of the offence and be liable to be proceeded against and punished accordingly.

Penalties

28.—(1) A person contravening any provision of these Regulations or any notice served under them shall be guilty of an offence.

(2) A person guilty of an offence under Regulation 26(1)(a) or (b) above shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding three months or to both.

(3) A person guilty of any other offence under these Regulations shall be liable—

- (a) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both;
- (b) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment not exceeding three months or to both.

Disapplication

29.—(1) The provisions listed in Part I of Schedule 4 shall not apply to products of animal origin to which these Regulations apply.

(2) The provisions listed in Part II of Schedule 4 shall not apply to products of animal origin to which these Regulations apply imported from other member States.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is affixed
on

22nd December 1992.

John Selwyn Gummer
Minister of Agriculture Fisheries and Food

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23rd December 1992

Hector Monro
Parliamentary Under Secretary of State, Scottish
Office

SCHEDULE 1

Regulation 1(2)

AMENDMENTS

1. Council Directive [89/662/EEC](#) (OJNo. L395, 30.12.89, p. 13) has been amended by, and must be read subject to:

Council Directive [90/675/EEC](#) (OJ No. L373, 31.12.90, p. 1),
Council Directive [91/67/EEC](#) (OJ No. L46, 18.2.91, p. 1),
Council Directive [91/492/EEC](#) (OJ No. L268, 24.9.91, p. 1),
Council Directive [91/493/EEC](#) (OJ No. L268, 24.9.91, p. 15),
Council Directive [91/494/EEC](#) (OJ No. L268, 24.9.91, p. 35),
Council Directive [91/495/EEC](#) (OJ No. L268, 24.9.91, p. 41),
Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56),
Council Directive [92/45/EEC](#) (OJ No. L268, 14.9.92, p. 1),
Council Directive [92/46/EEC](#) (OJ No. L268, 14.9.92, p. 13),
Council Directive [92/67/EEC](#) (OJ No. L268, 14.9.92, p. 73).

2. Council Directive [90/425/EEC](#) (OJ No. L224, 18.8.90, p. 29) has been amended by, and must be read subject to:

Council Directive [90/539/EEC](#) (OJ No. L303, 31.10.90, p. 6),
Council Directive [90/667/EEC](#) (OJ No. L363, 27.12.90, p. 51),
Council Directive [90/675/EEC](#) (OJ No. L373, 31.12.90, p. 1),
Council Directive [91/67/EEC](#) (OJ No. L46, 19.2.91, p. 1),
Council Directive [91/68/EEC](#) (OJ No. L46, 19.2.91, p. 19),
Council Directive [91/174/EEC](#) (OJ No. L85, 5.4.91, p. 37),
Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56),
Council Directive [91/628/EEC](#) (OJ No. L340, 11.12.91, p. 17),
Council Directive [92/60/EEC](#) (OJ No. L268, 14.9.92, p. 75), and
Council Directive [92/65/EEC](#) (OJ No. L268, 14.9.92, p. 54).

3. Council Directive [90/675/EEC](#) (OJ No. L373, 31.12.90, p. 1) has been amended by, and must be read subject to:

Commission Decision [91/281/EEC](#) (OJ No. L142, 6.6.91, p. 43),
Commission Decision [91/282/EEC](#) (OJ No. L142, 6.6.91, p. 44),
Commission Decision [91/146/EEC](#) (OJ No. L73, 20.8.91, p. 34),
Council Directive [91/496/EEC](#) (OJ No. L268, 24.9.91, p. 56),
Commission Decision [91/541/EEC](#) (OJ No. L294, 25.10.91, p. 51),
Council Regulation [1601/92/EEC](#) (OJ No. L173, 27.6.92, p. 13),
Commission Decision [92/356/EEC](#) (OJ No. L192, 11.7.92, p. 69),
Commission Decision [92/430/EEC](#) (OJ No. L237, 20.8.92, p. 16),
Council Decision [92/438/EEC](#) (OJ No. L243, 25.8.92, p. 27),
Commission Decision [92/525/EEC](#) (OJ No. L331, 17.11.92, p. 16),

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Commission Decision of 15 December 1992 relating to new transitional measures which are necessary to facilitate the move to the system of veterinary checks provided for in Council Directive 90/675/EEC, not yet published in the Official Journal.

SCHEDULE 2

Regulations 1(2) and 14(3)

<i>BORDER INSPECTION POST</i>		<i>PRODUCTS WHICH MAY BE IMPORTED AT THE POST</i>					
<i>GROUP</i>	<i>POST</i>	<i>*see footnote</i>					
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
ABERDEEN	Aberdeen Airport		/				
	Aberdeen Harbour	C	/	/	/	/	
	Fraserburgh Harbour		/				
	Peterhead Harbour		/				
BIRMINGHAM	Birmingham Airport						/
BRISTOL	Bristol Harbour	C					
CARDIFF	Cardiff Docks	B	/	/			
CLYDE	Greenock Port		/		/		
	Prestwick Airport	C	/		/		
	Glasgow Airport	C	/	/		/	/
DOVER	Coquelles Terminal	B	/	/	/	/	

**Footnote*

1. The following products of animal origin (except fish) for human consumption kept under temperature control during transport—
 - A = All products;
 - B = All products except uncartoned fresh red meat and uncartoned fresh game meat of large furred animals;
 - C = All products except fresh red meat and fresh game meat of large furred animals.
2. Fish
3. Products of animal origin (except fish) for human consumption but not kept under temperature control during transport.
4. Products of animal origin not intended for human consumption kept under temperature control during transport.
5. Products of animal origin not intended for human consumption and not kept under temperature control during transport.
6. Aquaculture products not intended for human consumption.

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<i>BORDER INSPECTION POST</i>		<i>PRODUCTS WHICH MAY BE IMPORTED AT THE POST</i>					
<i>GROUP</i>	<i>POST</i>	<i>*see footnote</i>					
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
	Dover Cargo Terminal	A	/	/	/	/	
	Ramsgate Port	A	/	/	/	/	
FALMOUTH	Falmouth Dock		/				
	Falmouth Wharves		/				
FELIXSTOWE	Felixstowe Dock	A	/	/	/	/	
	Harwich (Parkstone Quay)	A	/	/	/	/	
	Ipswich Port	C	/	/	/	/	
FISHGUARD	Fishguard Harbour	A	/	/	/	/	
	Milford Haven Port	A	/	/	/	/	
	Pembroke Port	A	/	/	/	/	
GRANGEMOUTH	Grangemouth Dock	C	/	/	/	/	
	Leith Port		/				
HEYSHAM	Heysham Port	B	/	/	/	/	

**Footnote*

1. The following products of animal origin (except fish) for human consumption kept under temperature control during transport—
 - A = All products;
 - B = All products except uncartoned fresh red meat and uncartoned fresh game meat of large furred animals;
 - C = All products except fresh red meat and fresh game meat of large furred animals.
2. Fish
3. Products of animal origin (except fish) for human consumption but not kept under temperature control during transport.
4. Products of animal origin not intended for human consumption kept under temperature control during transport.
5. Products of animal origin not intended for human consumption and not kept under temperature control during transport.
6. Aquaculture products not intended for human consumption.

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<i>BORDER INSPECTION POST</i>		<i>PRODUCTS WHICH MAY BE IMPORTED AT THE POST</i>					
<i>GROUP</i>	<i>POST</i>	<i>*see footnote</i>					
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
HOLYHEAD	Holyhead Harbour	C	/	/	/	/	
HUMBER	Hull Port	A	/	/	/	/	
	Grimsby Port	A	/	/	/	/	
	Immingham Port	B	/	/	/	/	/
INVERGORDON	Invergordon Port	C	/	/			
LERWICK	Lerwick Harbour		/				
LIVERPOOL	Liverpool Dock	A	/	/	/	/	
LONDON AIRPORTS	Gatwick Airport	B	/	/	/	/	/
	Heathrow Airport	B	/	/	/	/	/
LONDON PORT	Tilbury	A	\	\	\	\	
	Sheerness	A	\	\	\	\	
	Thamesport	B	\	\	\	\	
	Thames Wharves	C			/		
	Willesden Euroterminal	B	\	\	\	\	
MANCHESTER	Manchester Port	C	/	/	/	/	

**Footnote*

1. The following products of animal origin (except fish) for human consumption kept under temperature control during transport—
 - A = All products;
 - B = All products except uncartoned fresh red meat and uncartoned fresh game meat of large furred animals;
 - C = All products except fresh red meat and fresh game meat of large furred animals.
2. Fish
3. Products of animal origin (except fish) for human consumption but not kept under temperature control during transport.
4. Products of animal origin not intended for human consumption kept under temperature control during transport.
5. Products of animal origin not intended for human consumption and not kept under temperature control during transport.
6. Aquaculture products not intended for human consumption.

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<i>BORDER INSPECTION POST</i>		<i>PRODUCTS WHICH MAY BE IMPORTED AT THE POST</i>					
<i>GROUP</i>	<i>POST</i>	<i>*see footnote</i>					
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
	Manchester Airport	C	/	/	/	/	/
MOSTYN	Mostyn Docks	C	/	/	/	/	
NEWHAVEN	Newhaven Port	A	/	/	/	/	
	Shoreham Port		/	/		/	
NORWICH	Great Yarmouth Port	A	/	/			
SCRABSTER	Scrabster Harbour		/				
STANSTED	Stansted Airport		/	/	/	/	/
	Luton Airport		/	/	/		/
SOLENT	Southampton Port	B	/	/	/	/	
	Portsmouth Port	A	/	/	/	/	
TEESPORT	Teesport Port	B	/	/	/	/	
	Hartlepool Port	C			/		
TYNE	Tyne Port	A	/	/	/	/	
WEYMOUTH &	Weymouth	B	/	/		/	

**Footnote*

1. The following products of animal origin (except fish) for human consumption kept under temperature control during transport—
 - A = All products;
 - B = All products except uncartoned fresh red meat and uncartoned fresh game meat of large furred animals;
 - C = All products except fresh red meat and fresh game meat of large furred animals.
2. Fish
3. Products of animal origin (except fish) for human consumption but not kept under temperature control during transport.
4. Products of animal origin not intended for human consumption kept under temperature control during transport.
5. Products of animal origin not intended for human consumption and not kept under temperature control during transport.
6. Aquaculture products not intended for human consumption.

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<i>BORDER INSPECTION POST</i>		<i>PRODUCTS WHICH MAY BE IMPORTED AT THE POST</i>					
<i>GROUP</i>	<i>POST</i>	<i>*see footnote</i>					
		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
	Portland Port						

**Footnote*

1. The following products of animal origin (except fish) for human consumption kept under temperature control during transport—
 - A = All products;
 - B = All products except uncartoned fresh red meat and uncartoned fresh game meat of large furred animals;
 - C = All products except fresh red meat and fresh game meat of large furred animals.
2. Fish
3. Products of animal origin (except fish) for human consumption but not kept under temperature control during transport.
4. Products of animal origin not intended for human consumption kept under temperature control during transport.
5. Products of animal origin not intended for human consumption and not kept under temperature control during transport.
6. Aquaculture products not intended for human consumption.

SCHEDULE 3

Regulation 6(1)(a) and 8

DIRECTIVES TO BE COMPLIED WITH FOR EXPORT

1. Council Directive [64/433/EEC](#) of 26 June 1964 on health problems affecting intraCommunity trade in fresh meat (OJ No. L121, 28.7.64, p. 2012/64 (S Edn 1963—64 p. 185)) as amended by:
 - Council Decision [81/476/EEC](#) (OJ No. L186, 8.7.81, p. 20),
 - Council Directive [83/90/EEC](#) (OJ No. L59, 5.3.83, p. 10);
 - Council Directive [91/497/EEC](#) (OJ No. L268, 24.9.91, p. 69).
 Relevant provisions: Articles 3 and 6.
2. Council Directive [71/118/EEC](#) of 15 February 1971 on health problems affecting trade in fresh poultrymeat (OJ No. L55, 8.3.71, p. 23 (S Edn 1971(1) p. 106)) as amended by:
 - The Act of Accession;
 - Council Directive [75/431/EEC](#) (OJ No. L192, 24.7.75, p. 6);
 - Council Directive [78/50/EEC](#) (OJ No. L15, 19.1.78, p. 28);
 - Council Directive [80/216/EEC](#) (OJ No. L47, 21.2.80, p. 8);
 - Council Decision [81/476/EEC](#) (OJ No. L186, 8.7.81, p. 20);
 - Council Directive [84/335/EEC](#) (OJ No. L177, 4.7.84, p. 20);
 - Council Directive [84/642/EEC](#) (OJ No. L339, 27.12.84, p. 26);
 - Council Directive [85/324/EEC](#) (OJ No. L168, 28.6.85, p. 45);
 - Council Directive [85/326/EEC](#) (OJ No. L168, 28.6.85, p. 48);
 - Council Regulation [3768/85/EEC](#) (OJ No. L362, 31.12.85, p. 8);
 - Council Directive [88/657/EEC](#) (OJ No. L382, 31.12.88, p. 3);
 - Council Directive [89/662/EEC](#) (OJ No. L395, 30.12.89, p. 13);

Commission Decision [90/484/EEC](#) (OJ No. L267, 29.9.90, p. 45); Council Directive [90/654/EEC](#) (OJ No. L353, 17.12.90, p. 48).

Relevant provisions: Articles 3(1), 8 and 14.

3. Council Directive [72/461/EEC](#) of 12 December 1972 on health problems affecting intraCommunity trade in fresh meat (OJ No. L302, 31.12.72, p. 24) as amended by:

Council Directive [75/379/EEC](#) (OJ No. L172, 3.7.75, p. 17);
Council Directive [77/98/EEC](#) (OJ No. L26, 31.1.77, p. 81);
Council Directive [80/213/EEC](#) (OJ No. L47, 21.2.80, p. 1);
Council Directive [80/1099/EEC](#) (OJ No. L325, 1.12.80, p. 14);
Council Directive [81/476/EEC](#) (OJ No. L186, 8.7.81, p. 20);
Council Directive [82/893/EEC](#) (OJ No. L378, 31.12.82, p. 57);
Council Directive [83/646/EEC](#) (OJ No. L360, 23.12.83, p. 44);
Council Directive [84/336/EEC](#) (OJ No. L177, 4.7.84, p. 22);
Council Directive [84/643/EEC](#) (OJ No. L339, 27.12.84, p. 27);
Council Directive [85/322/EEC](#) (OJ No. L168, 28.6.85, p. 41);
Council Regulation [3768/85/EEC](#) (OJ No. L362, 31.12.85, p. 8);
Commission Decision [87/231/EEC](#) (OJ No. L99, 11.4.87, p. 18);
Council Directive [87/64/EEC](#) (OJ No. L34, 5.2.87, p. 52);
Council Directive [87/489/EEC](#) (OJ No. L280, 3.10.87, p. 28);
Council Directive [89/662/EEC](#) (OJ No. L395, 30.12.89, p. 13);
Council Directive [91/266/EEC](#) (OJ No. L134, 29.5.91, p. 45);
Council Directive [91/687/EEC](#) (OJ No. L377, 31.12.91, p. 16).

Relevant provisions: Articles 1 to 4 and 8a.

4. Council Directive [77/99/EEC](#) of 21 December 1976 on health problems affecting intraCommunity trade in meat products (OJ L26, 31.1.77, p. 85) as amended by:

Council Directive [92/5/EEC](#) (OJ No. L57, 2.3.92, p. 1).

Relevant provisions: Articles 1 to 11 and 13.

5. Council Directive [80/215/EEC](#) of 22 January 1980 on animal health problems affecting intraCommunity trade in meat products (OJ No. L47, 21.2.80, p. 4) as amended by:

Council Directive [80/1100/EEC](#) (OJ No. L325, 1.12.80, p. 16);
Council Directive [81/476/EEC](#) (OJ No. L186, 8.7.81, p. 20);
Council Directive [85/321/EEC](#) (OJ No. L168, 28.6.85, p. 39);
Council Regulation [3768/85/EEC](#) (OJ No. L362, 31.12.85, p. 8);
Council Directive [87/491/EEC](#) (OJ No. L279, 2.10.87, p. 27);
Council Directive [88/660/EEC](#) (OJ No. L382, 31.12.88, p. 35);
Council Directive [89/662/EEC](#) (OJ No. L395, 30.12.89, p. 13);
Council Directive [91/687/EEC](#) (OJ No. L377, 31.12.91, p. 16).

Relevant provisions: Articles 1 to 4 and 7a.

6. Council Directive [85/397/EEC](#) on health and animal health problems affecting intraCommunity trade in heat-treated milk; (OJ No. L226, 24.4.85, p. 13) as amended by:

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Council Regulation 3768/85/EEC (OJ No. L362, 31.12.85, p. 8);

Council Directive [89/662/EEC](#) (OJ No. L395, 30.12.89, p. 13).

Relevant provisions: Articles 3 and 4.

7. Council Directive [88/657/EEC](#) of 14 December 1988 laying down the requirements for the production of, and trade in, minced meat, meat in pieces of less than 100 grams and meat preparations (OJ No. L382, 31.12.88, p. 3) as amended by Council Directive [89/662/EEC](#) (OJ No. L395, 30.12.89, p. 13).

Relevant provisions: Articles 1 to 3, 7 to 9 and 12.

8. Council Directive [89/437/EEC](#) of 20 June 1989 on hygiene and health problems affecting the production and the placing on the market of egg products (OJ No. L212, 22.7.89, p. 87) as amended by:

Council Directive [89/662/EEC](#) (OJ No. L395, 30.12.89, p. 13);

Council Directive [91/684/EEC](#) (OJ No. L376, 31.12.91, p. 38).

Relevant provisions: Article 3.

9. Council Directive [91/67/EEC](#) of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products (OJ No. L46, 19.2.91, p. 1) as read with:

Commission Decision [92/528/EEC](#) (OJ No. L332, 18.11.92, p. 25);

Commission Decision [92/532/EEC](#) (OJ No. L337, 21.11.92, p. 18);

Commission Decision [92/538/EEC](#) (OJ No. L347, 28.11.92, p. 67).

Relevant provisions: Articles 3, 9, 10, 11, 12 and 13.

10. Council Directive [91/492/EEC](#) of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs (OJ No. L268, 24.9.91, p. 1). Relevant provisions: Articles 3, 4, 5 and 7.

11. Council Directive [91/493/EEC](#) of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products (OJ No. L268, 24.9.91, p. 15).

Relevant provisions: Articles 3, 4, 5, 6, 7 and 9.

12. Council Directive [91/494/EEC](#) of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat; (OJ No. L268, 24.9.91, p. 35).

Relevant provisions: Articles 1 to 3.

13. Council Directive [91/495/EEC](#) of 27 November 1990 concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat; (OJ No. L268, 24.9.91, p. 41).

Relevant provisions: Articles 3 and 5.

SCHEDULE 4

Regulation 29

PART I

DISAPPLICATION OF PROVISIONS

<i>TITLE</i>	<i>REFERENCE</i>	<i>EXTENT</i>
The Importation of Birds, Poultry and Hatching Eggs Order 1979	S.I. 1979/1702	Articles 6 to 9
The Importation of Hay and Straw Order 1979	S.I. 1979/1703	Article 5
The Importation of Animal Products and Poultry Products Order 1980	S.I. 1980/14	Articles 5 to 7
The Importation of Embryos, Ova and Semen by Order 1984	S.I. 1984/12 as amended by S.I. 1984/1326	Articles 5, 5A and 6
The Importation of Bovine Semen Regulations 1984	S.I. 1984/1325	Articles 4 and 5
The Imported Food Regulations 1984	S.I. 1984/1918 as amended by The Criminal Justices Act 1988 (c.33), S.I. 1990/2371 and S.I. 1990/2486	The whole Regulations except Regulations 12, 13, 14 and 20 and Schedules 1 to 11
The Imported Food (Scotland) Regulations 1985	S.I. 1985/913 as amended by the Criminal Justices Act 1988 (c.33) and S.I. 1990/2625	The whole Regulations except Regulations 12, 13, 14 and 20 and Schedules 1 to 11
The Importation of Milk Regulations 1988	S.I. 1988/1803	Article 8(3)

PART II

DISAPPLICATION OF PROVISIONS FOR INTRA-COMMUNITY TRADE TITLE REFERENCE EXTENT

<i>TITLE</i>	<i>REFERENCE</i>	<i>EXTENT</i>
The Diseases of Fish Act 1937	1937 c.33	Section 1
The Diseases of Fish Regulations 1984	S.I. 1984/455	Regulations 2 and 5
The Importation of Salmonid Viscera Order 1986	S.I. 1986/2265	Articles 4 to 8

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Council Directive [89/662/EEC](#) concerning veterinary checks in intra-Community trade with a view to the completion of the single market (OJ No. L395, 30.12.89, p. 13) and Council Directive [90/675/EEC](#) laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries (OJ No. L373, 31.12.90, p. 1).

The Regulations make provision for the designation of official veterinary surgeons to implement them, and provide for enforcement by the local authority with powers for the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland, the Secretary of State for Wales and the Secretary of State for Health to give directions to local authorities (Regulations 2, 3 and 4).

With respect to intra-Community trade, they make it an offence to export products of animal origin except in accordance with Directives [89/662/EEC](#) (Regulation 6). They provide for the inspection and checking of imports, make provision on the removal of documents and place duties on consignees (Regulations 7 to 9). They regulate consignments posing a risk to health and for repeated irregularities by an exporting establishment in Great Britain (Regulations 10 and 11).

For third country trade, they establish border inspection posts (Regulation 14) and specify import procedure (Regulations 15, 16 and 21). They regulate procedures in free zones and warehouses and transshipment under customs control (Regulations 17 and 18) and establish procedures for consignments posing a risk to health and illegal consignments (Regulation 19).

They give powers of entry and inspection to enforce the directives (Regulation 22) and provide a procedure whereby products from an area outside Great Britain suffering from disease can be prevented from entering Great Britain (Regulation 23). They place a duty to give reasons for decisions (Regulation 24) and a duty on local authorities to provide returns (Regulation 25).

They make provisions on penalties and disapply the provisions in Schedule 4 from imports to which these Regulations apply.