The Secretary of State is a Minister designated[1] for the purpose of making Regulations under section 2(2) of the European Communities Act 1972[2] in relation to the common agricultural policy of the European Union.

These Regulations and the Regulations they amend, the Products of Animal Origin (Third Country Imports) (England) Regulations 2006[3] ("the principal Regulations"), make provision for a purpose mentioned in that section and it appears to the Secretary of State that it is expedient for the references to the European Union instruments set out in the provisions in Schedule 1 of the principal Regulations substituted by these Regulations to be construed as references to that legislation as amended from time to time.

The Secretary of State makes these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972.

Title, application and commencement

1. These Regulations—
   (a) may be cited as the Products of Animal Origin (Third Country Imports) (England) (Amendment) Regulations 2010;
   (b) apply in England; and
   (c) come into force on 29th July 2010.

[2] 1972 c. 68. Paragraph 1A was inserted into Schedule 2 by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).
Amendments to the Products of Animal Origin (Third Country Imports) (England) Regulations

2. The Products of Animal Origin (Third Country Imports) (England) Regulations 2006 shall be amended as follows—

(a) omit paragraph (5) of regulation 2 (Interpretation);
(b) for Schedule 1 (Import Conditions) substitute the Schedule set out in these Regulations.

Jim Paice
Minister of State
Department for Environment, Food and Rural Affairs

5th July 2010
SCHEDULE 1

Import conditions

PART 1

Provisions common to several categories of product

Maximum residue limits and contaminants


5. Council Regulation (EC) No 733/2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station(8).


Transmissible spongiform encephalopathies


9. Commission Decision 2007/453/EC establishing the BSE status of Member States or third countries or regions thereof according to the BSE risk (12).

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(9) OJ No L 185, 25.7.2000, p27.
Health certificates for imports of products of animal origin


Health certification for animal products from New Zealand


Animal and public health rules on imports of products of animal origin for human consumption


15. Council Regulation (EC) No 396/2005 on maximum levels of pesticides in or on food and feed of plant and animal origin(18).


(15) OJ No L 18, 23.1.2003, p11.

PART 2

Fresh Meat of Bovine, Ovine and Caprine Animals and Swine

Third countries and health certification requirements for imports of fresh meat


Third countries established from which fresh meat may be imported

Argentina

2. Commission Decision 81/91/EEC on the list of establishments in the Argentine Republic approved for the purposes of the importation of fresh beef and veal, sheepmeat and meat of domestic solipeds into the Community(27).

Australia

3. Commission Decision 83/384/EEC on the list of establishments in Australia approved for the purposes of importing fresh meat into the Community(28).

Botswana


Brazil

5. Commission Decision 81/713/EEC on the list of establishments in the Federative Republic of Brazil approved for the purpose of importing fresh beef and veal and meat of domestic solipeds into the Community(30).

Canada


Chile

7. Commission Decision 87/124/EEC on the list of establishments in Chile approved for the purpose of importing fresh meat into the Community(32).

(26) OJ No L 73, 20.3.2010, p1.
(29) OJ No L 129, 19.5.83, p70.
(31) OJ No L 121, 9.5.87, p50.
(32) OJ No L 51, 20.2.87, p41.
Croatia

The Falkland Islands

Greenland
10. Commission Decision 85/539/EEC on the list of establishments in Greenland approved for the purpose of importing fresh meat into the Community(35).

Iceland
11. Commission Decision 84/24/EEC on the list of establishments in Iceland approved for the purposes of importing fresh meat into the Community(36).

Former Yugoslav Republic of Macedonia
12. Commission Decision 95/45/EC on the list of establishments in the former Yugoslav Republic of Macedonia approved for the purpose of importing fresh meat into the Community(37).

Madagascar
13. Commission Decision 90/165/EEC on the list of establishments in Madagascar approved for the purpose of importing fresh meat into the Community(38).

Mexico

Morocco
15. Commission Decision 86/65/EEC on the list of establishments in Morocco approved for the purpose of importing fresh meat into the Community(40).

Namibia

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(36) OJ No L 20, 25.1.84, p21.
(37) OJ No L 51, 8.3.95, p13.
(38) OJ No L 91, 6.4.90, p34.
(39) OJ No L 228, 15.8.87, p43.
(40) OJ No L 72, 15.3.86, p40.
(41) OJ No L 223, 18.8.90, p19.
New Caledonia

17. Commission Decision 2004/628/EC on the list of establishments in New Caledonia from which Member States may authorise importation of fresh meat into the Community(42).

New Zealand

18. Commission Decision 83/402/EEC on the list of establishments in New Zealand approved for the purposes of importing fresh meat into the Community(43).

Paraguay


Republic of South Africa


Swaziland

21. Commission Decision 82/814/EEC on the list of establishments in the Kingdom of Swaziland approved for the purpose of importing fresh meat into the Community(46).

Switzerland

22. Commission Decision 82/734/EEC on the list of establishments in the Swiss Confederation approved for the purposes of exporting fresh meat to the Community(47).

United States of America


Uruguay


Republic of Serbia (formerly the Federal Republic of Yugoslavia)


(47) OJ No L 311, 8.11.82, p13 as last amended by Commission Decision 92/2/EC (OJ No L 1, 4.1.1992, p22).
Health certificates – Canada

27. Commission Decision 2005/290/EC on simplified certificates for the importation of bovine semen and fresh pig meat from Canada(51).

PART 3

Meat products

Third countries and health certification requirements for imports of meat products


Third countries established from which fresh meat products may be imported

Argentina

2. Commission Decision 86/414/EEC on the list of establishments in Argentina approved for the purpose of importing meat products into the Community(53).

Botswana

3. Commission Decision 94/465/EC on the list of establishments in Botswana approved for the purpose of importing meat products into the Community(54).

Brazil

4. Commission Decision 87/119/EC on the list of establishments in Brazil approved for the purpose of importing meat products into the Community(55).

Namibia

5. Commission Decision 95/427/EC on the list of establishments in the Republic of Namibia approved for the purpose of importing meat products into the Community(56).

Uruguay


Zimbabwe

7. Commission Decision 94/40/EC on the list of establishments in Zimbabwe approved for the purpose of importing meat products into the Community(58).

(51) OJ No L 93, 12.4.2005, p34.
(54) OJ No L 190, 26.7.94, p25.
(55) OJ No L 49, 18.2.87, p37 amended by Commission Decision 95/236/EC (OJ No L 156, 7.7.95, p84).
(56) OJ No L 254, 24.10.95, p28.
(58) OJ No L 22, 27.1.94, p50.
Miscellaneous third countries

8. Commission Decision 97/365/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of products prepared from meat of bovine animals, swine, equidae and sheep and goats (59).

9. Commission Decision 97/569/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of meat products (60).

PART 4
Milk and milk products

Third countries and health certification requirements for imports of milk and milk-based products


Third country establishments from which milk and milk products may be imported

2. Commission Decision 97/252/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of milk and milk products for human consumption (62).

PART 5
Fresh poultrymeat

General

1. Commission Regulation (EC) No 798/2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements (63).

Third country establishments from which fresh poultrymeat may be imported

2. Commission Decision 97/4/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of fresh poultrymeat (64).

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PART 6

Game meat

General

1. Commission Regulation (EC) No 119/2009 laying down a list of third countries or parts thereof, for imports into, or transit through, the Community of meat of wild leporidae, of certain wild land mammals and of farmed rabbits and the veterinary certification requirements(65).

Third country establishments from which game meat may be imported

2. Commission Decision 97/468/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of wild game meat(66).

PART 7

Minced meat, fresh meat and meat preparations

Health certification requirements


2. Commission Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the Community of certain animals and fresh meat and the veterinary certification requirements(68).

Third country establishments from which minced meat and meat preparations may be imported

3. Commission Decision 1999/710/EC drawing up provisional lists of third country establishments from which the Member States authorise imports of minced meat and meat preparations(69).

PART 8

Miscellaneous products

General


(68) OJ No L 73, 20.3.2010, p1.
Third countries from which products covered by Council Directive 92/118/EEC may be imported


Third country establishments from which products covered by Council Directive 92/118/EEC may be imported


Health certification requirements


9. Commission Regulation (EC) No 119/2009 laying down a list of third countries or parts thereof, for imports into, or transit through, the Community of meat of wild leporidae, of certain wild land mammals and of farmed rabbits and the veterinary certification requirements(79).

Animal by-products


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(71) OJ No L 305, 22.11.2003, p17 amended by Commission Decision 2006/696/EC.
(74) OJ No L 139, 23.5.2001, p16.
(78) OJ No L 353, 10.2.2009, p12.


15. Council Regulation (EC) No 1523/2007 of the European Parliament and of the Council banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur(84).

Hay and straw (third countries from which imports are permitted)


Composite products


PART 9

Genetic material

Bovine material


5. Commission Decision 2006/168/EC establishing the animal health and veterinary certification requirements for imports into the Community of bovine embryos(91).

Porcine material


7. Commission Decision 2008/636/EC establishing the list of third countries from which Member States authorise imports of ova and embryos of the porcine species(93).

8. Commission Decision 2009/893/EC on the importation of semen of domestic animals of the porcine species into the Community as regards lists of third countries and semen collection centres, and certification requirements(94).

Ovine and caprine material


10. Commission Decision 2008/635/EC on imports of semen, ova and embryos of the ovine and caprine species into the Community as regards lists of third countries and of semen collection centres and embryo collection teams, and certification requirements(96).

Equine material


12. Commission Decision 96/539/EC on animal health requirements and veterinary certification for imports into the Community of semen of the equine species(98).


14. Commission Decision 2004/211/EC establishing the list of third countries and parts of territory thereof from which Member States authorise import of live equidae and semen, ova and embryos of the equine species(100).


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Fish material


PART 10

Fishery products

General provisions


Health certification


Third countries from which fishery products may be imported

6. Commission Decision 2006/766/EC establishing lists of third countries and territories from which imports of bivalve molluscs, echinoderms, tunicates, marine gastropods and fishery products are permitted(109).

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Special import conditions for fishery products from the United States of America


PART 11
Interpretation of this Schedule

1. All references to EU instruments in this Schedule are references to that instrument as amended from time to time.”

EXPLANATORY NOTE
(This note is not part of the Regulations)

These Regulations amend the Products of Animal Origin (Third Country Imports) (England) Regulations 2006 (S.I. 2006/2841) (“the principal Regulations”) by omitting regulation 2(5) and replacing Schedule 1. The substituted Schedule 1 incorporates new and amended European instruments that have come into force since Schedule 1 was last substituted by S.I. 2008/3230. European instruments referred to in the substituted Schedule 1 are to be construed as references to that legislation as amended from time to time.

The principal Regulations implement Council Directive 97/78/EC (OJ No L24, 30.1.98, p9) laying down the principles governing the organisation of veterinary checks on products entering the European Union from third countries. They require that products of animal origin for import from third countries must be presented to an approved Border Inspection Post for veterinary examination to ensure that the product complies with the relevant import requirements. Importers are required to comply with the import requirements listed in Schedule 1.

A full Impact Assessment has not been produced for this instrument as no impact on the private, voluntary or public sectors is foreseen.

(111) OJ No L 71, 10.3.2006, p17.