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STATUTORY INSTRUMENTS

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**2019 No. 1225**

The Trade in Animals and Animal Products  
(Legislative Functions) and Veterinary Surgeons  
(Amendment) (EU Exit) Regulations 2019

PART 2

Powers to amend lists of approved third countries for trade in animals and products

CHAPTER 1

Function of approval of third countries to be included in  
approved lists relating to veterinary checks of hay and straw

**Power to amend the third country lists in [Commission Regulation \(EC\) No 136/2004](#)**

3.—(1) The Secretary of State, with the consent of the appropriate authority, may by regulations amend [Commission Regulation \(EC\) No 136/2004](#), laying down procedures for veterinary checks at Community border inspection posts on products imported from third countries<sup>(1)</sup>, to add a third country to the list in Annex 5 (“the list”) (third countries authorised for the purposes of the importation of hay or straw), or remove or amend an entry in the list in respect of a third country, where the amendment is necessary or appropriate in the light of an assessment of the risk to animal health in the United Kingdom, taking into account—

- (a) the assurances offered by the third country in question in relation to all or part of its territory with respect to compliance with relevant animal health requirements in the United Kingdom;
- (b) information on the general situation in the country as regards animal health;
- (c) the nature of the measures applied by the third country for monitoring and combating disease;
- (d) the structures, skills, independence and qualifications of the competent authority’s veterinary and inspection services in the third country;
- (e) the outcome of any inspection visits;
- (f) the outcome of the import checks carried out;
- (g) the regularity and rapidity of the provision of information by the third country concerning the existence of contagious animal diseases in its territory, in particular those diseases listed by the OIE.

(2) Any assessment which is relied on for the purpose of paragraph (1) must be appropriate to the circumstances and must have been approved by the Secretary of State and the appropriate authority.

(3) In the case of a third country which is not listed in the list or which is listed in the list only as regards part of its territory, the assessment must demonstrate that the relevant competent authority

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(1) [Commission Regulation \(EC\) No 136/2004](#) is amended by [S.I. 2019/795](#).

of the third country is able to provide appropriate assurances regarding compliance with relevant animal health requirements in the United Kingdom.