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STATUTORY INSTRUMENTS

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**2019 No. 795**

**The Import of and Trade in Animals and Animal Products (Amendment etc.) (EU Exit) Regulations 2019**

**PART 4**

Amendments to retained direct EU legislation

**Commission Decision 2001/812/EC laying down the requirements for the approval of border inspection posts responsible for veterinary checks on products introduced into the Community from third countries**

**12.**—(1) Commission Decision 2001/812/EC laying down the requirements for the approval of border inspection posts responsible for veterinary checks on products introduced into the Community from third countries is amended as follows.

(2) Before Article 1 insert—

*“Article Z1*

In this Decision, “the appropriate authority” means the Secretary of State (in relation to England), the Welsh Ministers (in relation to Wales), the Scottish Ministers (in relation to Scotland) and the Department of Agriculture, Environment and Rural Affairs (in relation to Northern Ireland); but “the appropriate authority” is the Secretary of State if consent is given by:

- (a) in relation to Wales, the Welsh Ministers;
- (b) in relation to Scotland, the Scottish Ministers;
- (c) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.”

(3) In Article 1, paragraph 2, for “Community”, substitute “United Kingdom”.

(4) In Article 2, paragraph 1, omit “, in order to be approved and listed in the Official Journal and to maintain approval.”.

(5) In Article 3—

(a) for paragraph 1, substitute—

“**1.** The appropriate authority may approve a border inspection post for the inspection of all products or of certain categories of products only. Where a border inspection post is approved for certain categories of products only, the appropriate authority must be satisfied that the border inspection post has the necessary facilities, personnel and equipment to carry out the inspection of those categories of products.”;

(b) in paragraph 2, for “In the Official Journal, border inspection posts will be listed showing them”, substitute “The appropriate authority must maintain a list of border inspection posts showing them as approved”;

(c) for paragraph 5, substitute—

“5. A border inspection post operator must notify the appropriate authority of any change in the infrastructure or operation of a border inspection post, or of an inspection centre within that post, that has any bearing on its approval. Additions to the categorisation of any border inspection post may be proposed by the appropriate authority, after the appropriate authority has checked that the facilities comply with this Decision.”.

- (6) In Article 4—
- (a) in paragraph 1, for “Community legislation”, substitute “national legislation”;
  - (b) in paragraph 2—
    - (i) in point (a), for “an Animo system terminal”, substitute “access to the United Kingdom’s system for import control notifications”,
    - (ii) in point (c), for the words from “the derogation” to “apply”, substitute “Article 2 of [Decision 93/352/EEC](#) applies”;
  - (c) in paragraph 5, omit the last sentence.
- (7) In Article 5—
- (a) in paragraph 1—
    - (i) for the words from “Member States” to “competent authority”, substitute “the appropriate authority after the appropriate authority”,
    - (ii) omit “, for listing in the Official Journal”;
  - (b) in paragraph 3, for “an Animo system terminal”, substitute “access to the United Kingdom’s system for import control notifications”.
- (8) In Article 6—
- (a) for the words before the first indent, substitute—
 

“In the circumstances referred to in Article 6.2(b) of [Directive 97/78/EC](#), the reasonable time intervals to comply with the recommendations made pursuant to inspection reports, before the appropriate authority withdraws the border inspection post from the approved list in full or in part, in the latter case with regard to the product categories and/or inspection centres concerned by the recommendations, taken from the date of receipt of the final report, are as follows:”;
  - (b) in the first indent, omit “between the Member State and the Commission”.
- (9) Omit Article 8.
- (10) In the Annex—
- (a) in paragraph 3—
    - (i) in the second subparagraph, in the words before point 1, for “Pending the implementation of the Shift system, the official veterinarian”, substitute “The official veterinarian”,
    - (ii) in point 1, for “Community or, where applicable, to certain Member States”, substitute “United Kingdom”,
    - (iii) for point 2, substitute—
 

“2. copies of relevant EU-derived domestic legislation specifying a specimen health certificate, or any other document which must accompany products from third countries;,”
    - (iv) in point 3, for “Community”, substitute “United Kingdom”,
    - (v) in point 4, omit “to the Community”,
    - (vi) in point 6, for “in all Member States”, substitute “the United Kingdom”,

- (vii) in point 7, omit the words “for that Member State” to the end,
- (viii) in point 8, for “EC”, substitute “national”;
- (b) in paragraph 4—
  - (i) in the words before point 1, for “TRACES”, substitute “the United Kingdom’s system for import control notifications”,
  - (ii) for point 1, substitute—
    - “**1.** up-to-date information on consignments of products for which import or entry into the United Kingdom has been refused and which have been re-dispatched which must be communicated to each border inspection post by the central competent authority;”.