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STATUTORY INSTRUMENTS

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**2022 No. 735**

**The Import of Animals and Animal Products and Approved Countries (Amendment) Regulations 2022**

**Amendment of Commission Regulation (EC) No. 119/2009**

4.—(1) [Commission Regulation \(EC\) No. 119/2009](#) laying down lists 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<sup>(1)</sup>, is amended as follows.

(2) In Article 1 (subject matter and scope), in paragraph 1(a), in the words before point (i), for “or parts” substitute “and makes provision for the specification for the purposes of this Regulation by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), of third countries or parts”.

(3) For Article 2 (interpretation) substitute—

*“Article 2*

*Interpretation*

For the purposes of this Regulation—

- (a) “additional guarantee” means the guarantee given under paragraph 2 of Article 2a;
- (b) “wild leporidae” means wild rabbits and hares.”.

(4) After Article 2, insert—

*“Article 2a*

*Additional guarantees*

1. The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may impose conditions relating to the protection of public health, animal health or food safety in Great Britain on the import of a commodity from a third country listed in Part 1 of Annex 1, or a part thereof.

2. The person exporting the commodity from the third country to Great Britain, or another person acting on their behalf, must provide evidence that any condition imposed under paragraph 1 in relation to the commodity is satisfied by giving an additional guarantee in accordance with the veterinary certificate for the commodity concerned.

3. The Secretary of State must publish any conditions imposed under paragraph 1 and the commodities to which they relate in a document published for the purposes of this Article.

## *Article 2b*

### *Code of third country or part thereof*

The Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article a system of words, letters or numbers representing, for the purposes of a veterinary certificate under this Regulation, a third country listed in Part 1 of Annex 1, or part thereof.”

(5) In Article 3 (lists of third countries or parts thereof from which commodities may be imported into, or transit through, Great Britain)—

- (a) in the heading, omit “Lists of”;
- (b) for “a third country or parts thereof” substitute “such of the third countries”;
- (c) after “Annex 1” insert “or parts thereof, as the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may specify in a document published for the purposes of this Article”.

(6) After Article 5 insert—

## *“Article 5a*

### *Matters relating to the exercise of powers under this Regulation*

1. The powers exercisable by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), under the provisions listed in paragraph 2 may be exercised only where it is necessary or appropriate to do so in the light of an assessment of the risk to animal or public health in the United Kingdom, taking into account the animal health criteria and the public health criteria.

2. The provisions are—

- (a) Article 2a (additional guarantees)
- (b) Article 3 (specification of third countries or parts thereof from which commodities may be imported into, or transit through, Great Britain).

3. Any assessment which is relied upon for the purposes of paragraph 1 must have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales).

4. Where the Scottish Ministers or the Welsh Ministers request that the Secretary of State exercise a power under a provision listed in paragraph 2, the Secretary of State must have regard to that request.

5. In this Article—

“animal health criteria” means the criteria set out in Schedule 1 to the Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019;

“public health criteria” means the criteria set out in Schedule 2 to those Regulations.”.

(7) In Annex 1 (meat of wild leporidae, certain wild land mammals and farmed rabbits), in Part 1 (list of third countries and parts thereof and additional guarantees)—

- (a) in the heading, omit “and parts thereof and additional guarantees”;
- (b) in the table—
  - (i) omit column 2 (code of territory);
  - (ii) omit column 4 (wild rabbits – AG) (but not the headings “Wild” or “Leporidae”);

- (iii) omit column 6 (farmed rabbits – AG) (but not the headings “Farmed rabbits” or “Leporidae”);
- (iv) omit column 8 (wild land mammals other than ungulates and leporidae – AG) (but not the heading “wild land mammals other than ungulates and leporidae”);
- (c) omit the footnote to the table relating to EU member States, Iceland, Liechtenstein and Norway.