
STATUTORY INSTRUMENTS

2022 No. 735

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

Amendment of Commission Regulation (EU) No. 206/2010

5.—(1) Commission Regulation (EU) No. 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements⁽¹⁾ is amended as follows.

(2) In Article 1 (subject matter and scope), in paragraph 2, for “territories or parts thereof” 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 territories or parts thereof”.

(3) In Article 2 (definitions), after point (h), insert—

“(i) “specific condition” has the meaning given in Article 2c;

(j) “supplementary guarantee”—

(i) in relation to ungulates, means the guarantee given under paragraph 2 of Article 2d;

(ii) in relation to fresh meat, means the guarantee given under paragraph 2 of Article 13b.”.

(4) After Article 2, but within Chapter 2, insert—

“Article 2a

Publication of code representing 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 Annex 1 or Annex 2, or a territory or part thereof.

Article 2b

Publication of closing date and opening date

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 specify in a document published for the purposes of this Article a “closing date” or an “opening date” in relation to a third country listed in Annex 2, or a territory or part thereof.

2. Meat from animals slaughtered on or before a closing date may be imported into Great Britain from the country or territory to which the closing date relates for 90 days from that date. Consignments carried on vessels on the high seas may be imported into Great Britain

from the country or territory to which the closing date relates if certified before the closing date for 40 days from that date.

3. Where an opening date has been specified in relation to a third country or territory or part thereof under paragraph 1, only meat slaughtered on or after that opening date may be imported into Great Britain from that country or part.

Article 2c

Specific conditions – live ungulates and fresh meat

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 a specific condition on the introduction of an ungulate into Great Britain, or on the importation of fresh meat of an ungulate intended for human consumption into Great Britain.

2. The Secretary of State must publish any specific condition required under this Article in a document published for the purposes of this Article.

3. “Specific condition” means one of the conditions set out in the list headed “Specific Conditions (see footnotes in each certificate)” in Annex 1.

Article 2d

Supplementary guarantees – live ungulates

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 an ungulate into Great Britain from a third country listed in column 1 of Annex 1, or a territory or part thereof.

2. The person exporting the ungulate 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 ungulate is satisfied by giving a supplementary guarantee in accordance with the veterinary certificate for the ungulate concerned.

3. The Secretary of State must publish any conditions imposed under paragraph 1 in a document published for the purposes of this Article.”

(5) In Article 3 (general conditions for the introduction of ungulates into Great Britain)—

(a) in point (a)—

(i) for “the third countries, territories or parts thereof” substitute “such of the third countries”;

(ii) for “columns 1, 2 and 3” substitute “column 1”;

(iii) after “Annex 1”, in the first place it appears, insert “or a territory or part of any such third country, 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”;

(b) in point (b), for “the specific conditions” to “Annex 1” substitute “any specific conditions that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may require under Article 2c”;

(c) for point (c)(i) substitute—

“(i) any supplementary guarantees laid down in that certificate that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may require under Article 2d;”

(6) In Article 3a (conditions for the introduction of ungulates intended for an approved body, institute or centre), in paragraph 1(b)—

- (a) in the words before point (i), omit “a third country, territory or part thereof which is included in one of the lists set out in”;
- (b) in point (i)—
 - (i) at the beginning, insert “such of the third countries included in one of the lists set out in”;
 - (ii) after “Regulation” insert “, or territories 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”;
- (c) in point (ii), at the beginning insert “a third country, territory or part thereof which is included in one of the lists set out in, or specified by the Secretary of State in accordance with”.

(7) In Article 7 (general conditions for the introduction into Great Britain of certain species of bees)—

- (a) in paragraph 1—
 - (i) in the words before point (a), omit “third countries or territories”;
 - (ii) in point (a)—
 - (aa) at the beginning insert “such third countries”;
 - (bb) at the end insert “, or territories 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 paragraph”;
 - (iii) in point (b), at the beginning insert “third countries or territories”;
- (b) in paragraph 2, in the words before point (a), after “Annex 2” insert “and specified by the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), in a document published for the purposes of this paragraph,”.

(8) In Article 14 (general conditions for the importation of fresh meat)—

- (a) in point (a)—
 - (i) for “the third countries, territories or parts thereof” substitute “such of the third countries”;
 - (ii) for “columns 1, 2 and 3” substitute “column 1”;
 - (iii) after “Annex 2”, in the first place it appears, insert “or a territory or part of any such third country, 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”;
- (b) in point (b), for “the specific conditions” to “Annex” substitute “any specific conditions that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may require under Article 2c”;
- (c) for point (c)(i), substitute—
 - “(i) any supplementary guarantees that the Secretary of State, with the consent of the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), may require under Article 14b(2);”.

(9) After Article 14 insert—

“Article 14b

Supplementary guarantees, fresh meat

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 into Great Britain of a consignment of meat intended for human consumption from a third country listed in column 1 of Annex 2, or a territory or part thereof.

2. The person exporting the consignment 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 consignment is satisfied by giving a supplementary guarantee in accordance with the veterinary certificate for the consignment concerned.

3. The Secretary of State must publish any conditions imposed under paragraph 1 in a document published for the purposes of this Article.”

(10) In Article 16 (transit and storage of fresh meat), in point (a)—

- (a) for “the third countries, territories or parts thereof” substitute “such of the third countries”;
- (b) for “columns 1, 2 and 3” substitute “column 1”;
- (c) after “Annex 2” insert “or territory or part of any such third country, 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”.

(11) Before Article 18 but within Chapter 4 insert—

“Article 17b

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 are exercisable 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 public health criteria and matters specified in paragraph 3.

2. The provisions are—

- (a) Article 2b (specification of closing date and opening date);
- (b) Article 2c (specific conditions – live ungulates and fresh meat);
- (c) Article 2d (supplementary guarantees – live ungulates);
- (d) in Article 3 (specification of third country, territory or part thereof from which ungulates may be imported into Great Britain), paragraph 1;
- (e) in Article 3a (specification of third country, territory or part thereof from which ungulates may be imported into Great Britain for an approved body, institute or centre), paragraph 1(b)(i);
- (f) in Article 7, (specification of third country or part thereof from which certain species of bees may be imported into Great Britain), paragraph 1(a) and paragraph 2;
- (g) in Article 14 (general conditions for the import into Great Britain of fresh meat), point (a);

- (h) in Article 14b (supplementary guarantees – fresh meat), paragraph 1;
- (i) Article 16 (specification of third countries and parts thereof authorised for the transit and storage of fresh meat).

3. Any assessment which is relied on for the purposes of paragraph 1 with regard to imports of ungulate animals listed in Annex 1 to Council [Directive 2004/68/EC](#) must be appropriate to the circumstances and have been approved by the Secretary of State, the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales), taking into account—

- (a) the health status of livestock, other domestic animals and wildlife and the environmental situation in the third country, with particular regard to the general situation as regards animal health in the third country and any animal disease that is exotic, notifiable or reportable in the United Kingdom that may pose a risk to the health and environmental situation of the United Kingdom;
- (b) the legislation of the third country in relation to animal health and welfare;
- (c) the organisation of the competent veterinary authority and its inspection services in the third country, the powers available to undertake those services, the supervision to which they are subject, and the means at their disposal, including staff and laboratory capacity, to apply the third country's legislation effectively;
- (d) the assurances which the competent veterinary authority of the third country can give regarding compliance with legislation in that country that is of relevance to protection of animal health in the United Kingdom;
- (e) whether the third country is a member of the OIE, and the regularity and rapidity of the information supplied by the third country relating to the existence of infectious or contagious animal diseases in its territory, in particular those diseases listed by the OIE;
- (f) the assurances given by the third country to inform the United Kingdom within 24 hours of the confirmation of the occurrence of any diseases of ungulates listed in Annex 2 to Council [Directive 2004/68/EC](#) and of any change in the vaccination policy concerning such diseases, or any proposed changes in the national health rules concerning live ungulate animals, in particular regarding importation;
- (g) any experience of previous imports of live animals from the third country and the results of any import controls carried out;
- (h) the animal health requirements applying to the production, manufacture, handling, storage and dispatch of products of animal origin intended for Great Britain;
- (i) the results of inspections or audits carried out in the third country, in particular the results of the assessment of the competent authorities of those inspections or audits;
- (j) the rules on the prevention and control of infectious or contagious animal diseases in force in the third country and their implementation, including rules on importation from other third countries.

4. Any assessment which is relied upon for the purposes of paragraph 1 with regard to the imports of fresh meat in accordance with Council [Directive 2002/99/EC](#) must be appropriate to the circumstances and must have been approved by the Secretary of State the Scottish Ministers (in relation to Scotland) and the Welsh Ministers (in relation to Wales).

5. 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.

6. In this Article—

“the OIE” means the World Organisation for Animal Health;

“public health criteria” means the criteria set out in Schedule 2 to the Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019(2).”.

(12) In Annex 1 (ungulates), in Part 1 (list of third countries, territories or parts thereof), in the table—

- (a) in the heading, omit “, territories or parts thereof”;
- (b) omit the row relating to “PM – St. Pierre and Miquelon”;
- (c) omit column 2 (code of territory);
- (d) omit column 3 (description of third country, territory or part thereof);
- (e) omit column 5 (veterinary certificate - SG) (but not the heading “Veterinary certificate”);
- (f) omit column 6 (specific conditions);
- (g) in the remaining footnotes to the table—
 - (i) omit the footnote relating to Switzerland;
 - (ii) omit the footnote relating to EU member States, Liechtenstein and Norway.

(13) In Annex 2 (fresh meat), in Part 1 (list of third countries, territories or parts thereof)—

- (a) in the table—
 - (i) in the heading omit “, territories and parts thereof”;
 - (ii) omit the row that includes territory code “AR-1”, relating to “AR – Argentina”;
 - (iii) omit the row that includes territory code “AR-2”, relating to “AR – Argentina”;
 - (iv) omit the row that includes territory code “AR-3”, relating to “AR – Argentina”;
 - (v) omit the row that includes territory code “AR-4”, relating to “AR – Argentina”;
 - (vi) omit the row that includes territory code “BR-1”, relating to “BR – Brazil”;
 - (vii) omit the row that includes territory code “BR-2”, relating to “BR – Brazil”;
 - (viii) omit the row that includes territory code “BR-3”, relating to “BR – Brazil”;
 - (ix) omit the row that includes territory code “BR-4”, relating to “BR – Brazil”;
 - (x) omit the row that includes territory code “BW-1”, relating to “BW – Botswana”;
 - (xi) omit the row that includes territory code “BW-2”, relating to “BW – Botswana”;
 - (xii) omit the row that includes territory code “BW-3”, relating to “BW – Botswana”;
 - (xiii) omit the row that includes territory code “BW-4”, relating to “BW – Botswana”;
 - (xiv) omit the row that includes territory code “BW-5”, relating to “BW – Botswana”;
 - (xv) omit the row that includes territory code “NA-1”, relating to “NA – Namibia”;
 - (xvi) omit the row that includes the second instance of territory code “PY-0”, relating to “PY – Paraguay”;
 - (xvii) omit the row that includes territory code “RU-1”, relating to “RU – Russia”;
 - (xviii) omit the row that includes territory code “SZ-1”, relating to “SZ – Swaziland”;
 - (xix) omit the row that includes territory code “SZ-2”, relating to “SZ – Swaziland”;
 - (xx) omit the row that includes territory code “TR-1”, relating to “TR – Turkey”;
 - (xxi) omit the second and third row relating to “UY – Uruguay”;
 - (xxii) omit columns 2 (code of territory) and 3 (description of third country, territory or part thereof);

- (xxiii) in column 4 (veterinary certificate – model(s))—
 - (aa) in the entry relating to “AR – Argentina”, after “EQU” insert “BOV, OVI, RUF, RUW”;
 - (bb) in the entry relating to “BR – Brazil”, after “EQU” insert “BOV”;
 - (cc) in the entry relating to “BW – Botswana”, after “EQW” insert “BOV, OVI, RUF, RUW”;
 - (dd) in the entry relating to “NA – Namibia”, after “EQW” insert “BOV, OVI, RUF, RUW”;
 - (ee) in the entry relating to “PY – Paraguay”, after “EQU” insert “BOV”;
 - (ff) in the entry relating to “RU – Russia” insert “RUF”;
 - (gg) in the entry relating to “SZ – Swaziland”, after “EQW” insert “BOV, RUF, RUW”;
 - (hh) in the entry relating to “TR – Turkey” insert “EQU”;
 - (ii) in the entry relating to “UY – Uruguay”, after “EQU” insert “BOV, OVI”;
- (xxiv) omit column 5 (veterinary certificate - SG) (but not the heading “veterinary certificate”);
- (xxv) omit columns 6 (specific conditions), 7 (closing date) and 8 (opening date);
- (b) in the remaining footnotes to the table—
 - (i) omit the footnote relating to Switzerland;
 - (ii) omit the footnote relating to EU member States, Liechtenstein and Norway;
- (c) omit the section headed ““1” Category restrictions”.