STATUTORY RULES OF NORTHERN IRELAND

2011 No. 27

ANIMALS

The Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2011

Made - - - -	*3rd February 2011*
Coming into operation	*28th February 2011*

The Department of Agriculture and Rural Development is a Department 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.

The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006(**3**) ("the principal Regulations") make provision for a purpose mentioned in that section and it appears to the Department of Agriculture and Rural Development that it is expedient for the references to the European Union instruments set out in the provisions of Schedules 2 and 6 of the principal Regulations substituted by these Regulations to be construed as references to that legislation as amended from time to time.

The Department of Agriculture and Rural Development 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.

In accordance with section 56(1), (2) and (5) of the Finance Act 1973(**4**) the Department of Finance and Personnel consents to the making of these Regulations.

Citation and commencement

1. These Regulations may be cited as the Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2011 and shall come into operation on 28th February 2011.

(**1**) S. I. 2000/2812
(**2**) 1972 c. 68. Paragraph 1A was inserted into Schedule 2 by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51) and as amended by 2008 (c. 7)
(**3**) S.R. 2006 No. 401 as last amended by S.R. 2009 No. 86
(**4**) 1973 c. 51

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**5**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006

3. The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006 are amended in accordance with regulations 4 and 5.

Part I of Schedule 2

4. For Part 1 of Schedule 2 substitute—

"PART I

LEGISLATION IN RELATION TO INTRA-COMMUNITY TRADE

Bovine animals and swine

1. Council Directive 64/432/EEC on health problems affecting intra-Community trade in bovine animals and swine(**6**).

Bovine semen

2. Council Directive 88/407/EEC laying down the animal health conditions applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species(**7**).

Bovine embryos

3. Council Directive 89/556/EEC on animal health conditions concerning intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species(**8**).

Equidae

4. Council Directive 90/426/EEC on health conditions governing the movement of equidae and their import from third countries(**9**).

5. Council Directive 90/427/EEC on the zootechnical and genealogical conditions governing intra-Community trade in equidae(**10**).

6. Commission Decision 2010/346/EU on protective measures with regard to equine infectious anaemia in Romania(**11**).

(**5**) 1954 c. 33 (N.I.)
(**6**) O.J. No. L 121, 29.7.64, p.1977 – 2012 as last amended by Commission Decision 2009/976/EU (O.J. No. L 336, 18.12.2009, p.36)
(**7**) O.J. No. L 194, 22.7.98, p.10 as last amended by Council Directive 2008/73/EC (O.J. No. L 219, 14.8.2008, p.40)
(**8**) O.J. No. L 302, 19.10.89, p.1 as last amended by Council Directive 2008/73/EC
(**9**) O.J. No. L 224, 18.8.90, p.42 as last amended by Council Directive 2008/73/EC
(**10**) O.J. No. L 224, 18.8.90, p.55 as last amended by Council Directive 2008/73/EC
(**11**) O.J. No. L155, 22.6.2010, p. 48

Porcine semen

7. Council Directive 90/429/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species(**12**).

Poultry and hatching eggs

8. Council Directive 2009/158/EC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs(**13**).

Animal waste

9. Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down rules concerning animal by-products not intended for human consumption(**14**).

Fish

10. Council Directive 2006/88/EC on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals(**15**).

11. Directive 2004/41/EC of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC(**16**).

12. Commission Regulation (EC) No. 1251/2008 implementing Council Decision 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species(**17**).

Ovine and caprine animals

13. Council Directive 91/68/EEC on animal health conditions governing intra-Community trade in ovine and caprine animals(**18**).

Other animals, semen, ova and embryos

14. Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Council Directive 90/425/EEC(**19**).

(**12**) O.J. No. L 224, 18.8.90, p.62 as last amended by Council Directive (EC) 2008/73/EC
(**13**) O.J. No. L 343, 22.12.2009, p.74
(**14**) O.J. No. L 273, 10.10.2002, p.1 as last amended by Council Regulation (EC) No 596/2009 (O.J. No. L 188, 18.7.2009, p. 14)
(**15**) O.J. No. L 328, 24.11.2006, p.14 as last amended by Commission Directive 2008/53/EC (O.J. No. L 337, 16.12.2008, p. 94)
(**16**) O.J. No. L 157, 30.4.2004, p.33 as corrected in O.J. No L 195, 2.6.2004, p.12
(**17**) O.J. No. L 337, 16.12.2008, p.41 as last amended by Commission Regulation (EU) No. 346/2010 (O.J. No. L 104, 24.4.2010, p.1)
(**18**) O.J. No. L 46, 19.2.91, p.19 as last amended by Council Directive 2008/73/EC (O.J. No L 219, 14.8.2008, p.40)
(**19**) O.J. No. L 268, 14.9.92, p.54 as last amended by Commission Regulation (EU) No 176/2010 (O.J. No L 52, 3.3.2010, p.14)

Circuses and animal acts

15. Commission Regulation (EC) No.. 1739/2005 laying down animal health requirements for the movement of circus animals between member States(**20**).

Pathogens

16. Council Directive 92/118/EEC laying down animal and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC(**21**).

Pure-bred animals of the bovine species

17. Council Directive 2009/157/EC on pure-bred breeding animals of the bovine species(**22**).

Breeding animals of the porcine species

18. Council Directive 88/661/EEC on the zootechnical standards applicable to breeding animals of the porcine species(**23**).

Pure-bred breeding sheep and goats

19. Council Directive 89/361/EEC concerning pure-bred breeding sheep and goats(**24**).

Bluetongue susceptible animals

20. Commission Regulation (EC) No. 1266/2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue(**25**).

Transmissible spongiform encephalopathies

21. Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control, and eradication of certain transmissible spongiform encephalopathies(**26**).

22. Commission Decision 2007/453/EC establishing the BSE status of Member States or third countries or regions thereof according to the BSE risk(**27**).".

Schedule 6

5. For Schedule 6 substitute—

(**20**) O.J. No. L 279, 22.10.2005, p.47
(**21**) O.J. No. L 62, 15.3.93, p.49 as last amended by Commission Regulation (EC) No 445/2004 (O.J. No L 72, 11.3.2004, p. 60)
(**22**) O.J. No. L 323, 10.12.2009, p.1
(**23**) O.J. No. L 382, 31.12.1988, p.36 as last amended by Council Directive 2008/73/EC (O.J. No L 219, 14.8.2003, p. 40).
(**24**) O.J. No. L 153, 6.6.1989, p.30 as last amended by Council Directive 2008/73/EC
(**25**) O.J. No. L 283, 27.10.2007, p.37 as last amended by Commission Regulation (EC) No 1156/2009 (O.J. No. L 313, 28.11.2009, p.59)
(**26**) O.J. No. L 147, 31.5.2001, p.1 as last amended by Commission Regulation (EC) No 220/2009 (O.J. No. L 87, 31.3.2009, p. 155)
(**27**) O.J. No. L 172, 30.6.2007, p.84 as last amended by Commission Decision 2009/830 (O.J. No. L 295, 12.11.2009, p.11)

"SCHEDULE 6 Regulation 2(3),15(5), 23 and 33

EU LEGISLATION IN RELATION TO IMPORTS FROM THIRD COUNTRIES

PART I

INSTRUMENTS SPECIFYING THIRD COUNTRIES AND TERRITORIES IN THIRD COUNTRIES FROM WHICH MEMBER STATES MAY AUTHORISE CERTAIN IMPORTS

Cloven-hoofed animals and elephants and zoo ungulates

1. Commission Regulation (EC) No. 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the EU of certain animals and fresh meat and the veterinary certification requirements(**28**).

Poultry

2. 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(**29**).

Captive birds

3. Commission Regulation (EC) No. 318/2007 of 23 March 2007 laying down animal health conditions for imports of certain birds into the Community and the quarantine conditions thereof(**30**).

Shellfish and finfish

4. Commission Regulation (EC) No. 1251/2008 implementing Council Decision 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species(**31**).

5. Commission Decision 2006/766/EC establishing the lists of third countries and territories from which imports of bivalve molluscs, echinoderms, tunicates, marine gastropods and fishery products are permitted(**32**).

Bees

6. Commission Regulation (EC) No. 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the EU of certain animals and fresh meat and the veterinary certification requirements(**33**).

(**28**) O.J. No. L 73, 20.3.2010, p.1
(**29**) O.J. No. L 226, 23.8.2008, p.1 as last amended by Commission Regulation (EU) No 254/2010 (O.J. No. L 80, 26.3.2010, p. 1)
(**30**) O.J. No. L 84, 24.3.2007, p.7 as last amended by Commission Regulation (EC) No 239/2010 (O.J. No. L 75, 23.3.2010, p.18)
(**31**) O.J. No. L 337, 16.12.2008, p.41 as last amended by Commission Regulation (EC) No 719/2009 (O.J. No. L 205, 7.8.2009, p.10)
(**32**) O. J. No. L 320, 18.11.2006, p.53 last amended by Commission Decision 2009/951/EU (O.J. No. L 328, 15.12.2009, p.70)
(**33**) O.J. No. L 73, 20.3.2010, p.1