STATUTORY RULES OF NORTHERN IRELAND

2010 No. 417

AGRICULTURE

The Products of Animal Origin (Third Country Imports) (Amendment) Regulations (Northern Ireland) 2010

Made - - - -	*14th December 2010*
Coming into operation	*10th January 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.

These Regulations and the Regulations they amend, the Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007(**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 Schedule 1 to the principal Regulations as 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.

Citation and commencement

1. These Regulations may be cited as the Products of Animal Origin (Third Country Imports) (Amendment) Regulations (Northern Ireland) 2010 and shall come into operation on 10th January 2011.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to an Act of the Assembly.

(**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. 2007 No. 199, amended by S. R. 2007 No. 314 and S.R. 2009 No. 130
(**4**) 1954 c.33 (N.I.)

Amendment of the Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007

3. The Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007 shall be amended as follows—

(a) In regulation 2 (Interpretation) omit paragraph (6);

(b) For Schedule 1 (Import Conditions) substitute the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 14th December 2010

L.S.

C. McMaster
A senior officer of the Department of Agriculture and Rural Development

SCHEDULE Regulation 3(3)

"SCHEDULE 1 Regulations 2(1),21, 36 and 37

Import conditions

PART I

PROVISIONS COMMON TO SEVERAL CATEGORIES OF PRODUCT

Maximum residue limits and contaminants

1. Council Directive 96/23/EC on measures to monitor certain substances and residues thereof in live animals and animal products(**5**).

2. Commission Decision 2004/432/EC on the approval of residue monitoring plans submitted by third countries in accordance with Council Directive 96/23/EC(**6**).

3. Commission Decision 2005/34/EC laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries(**7**).

4. Commission Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs(**8**).

5. Council Regulation (EC) No 733/2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station(**9**).

6. Commission Regulation (EC) No 1609/2000 establishing a list of products excluded from the application of Council Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station(**10**).

7. Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council(**11**).

Transmissible spongiform encephalopathies

8. 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(**12**).

9. Commission Decision 2007/453/EC establishing the BSE status of Member States or third countries or regions thereof according to the BSE risk (**13**).

(**5**) O.J. No L 125, 23.5.96, p10 as last amended by Council Regulation (EC) No 596/2009 (O.J. No L 188, 18.7.2009, p14).
(**6**) O.J. No L 154, 30.4.2004, p42 as last amended by Commission Decision 2009/800/EC (O.J. No L 285, 31.10.2009, p43).
(**7**) O.J. No L 16, 20.1.2005, p61.
(**8**) O.J. No L 364, 20.12.2006, p5 as last amended by Commission Regulation (EU) No 165/2010 (O.J. No L 50, 27.2.2010, p8).
(**9**) O.J. No L 201, 30.7.2008, p1 amended by Council Regulation (EC) No 1048/2009, (O.J. No L 290, 6.11.2009, p4).
(**10**) O.J. No L 185, 25.7.2000, p27.
(**11**) O.J. No L 152, 16.6.2009, p11.
(**12**) O.J. No L 147, 31.5.2001, p1 as last amended by Council Regulation (EC) No 220/2009 (O.J. No L 87, 31.3.2009, p155).
(**13**) O.J. No L 172, 30.6.2007, p84 as last amended by Commission Decision 2009/830/EC (O.J. No L 295, 12.11.2009, p11).

Health certificates for imports of products of animal origin

10. Commission Decision 2007/240/EC laying down new veterinary certificates for importing live animals, semen, embryos, ova and products of animal origin into the Community pursuant to certain Decisions(**14**).

Health certification for animal products from New Zealand

11. Commission Decision 2003/56/EC on health certificates for the importation of live animals and animal products from New Zealand(**15**).

Animal and public health rules on imports of products of animal origin for human consumption

12. Council Directive 2002/99/EC laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption(**16**).

13. Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**17**).

14. Council Regulation (EC) No 183/2005 laying down requirements for feed hygiene(**18**).

15. Council Regulation (EC) No 396/2005 on maximum levels of pesticides in or on food and feed of plant and animal origin(**19**).

16. Regulation (EC) No 853/2004 of the European Parliament and the Council laying down specific hygiene rules for food of animal origin(**20**).

17. Regulation (EC) No 854/2004 of the European Parliament and the Council laying down specific hygiene rules for the organisation of official controls on products of animal origin intended for human consumption(**21**).

18. Regulation (EC) No 882/2004 of the European Parliament and the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules(**22**).

19. Commission Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs(**23**).

20. Commission Regulation (EC) No 2074/2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 and Regulation (EC) No 882/2004 of the European Parliament and of the Council(**24**).

(**14**) O.J. No L 104, 21.4.2007, p37.
(**15**) O.J. No L 22, 25.1.2003, p38 as last amended by Commission Decision 2006/855/EC (O.J. No L 338, 5.12.2006, p45).
(**16**) O.J. No L 18, 23.1.2003, p11.
(**17**) O.J. No L 31, 1.2.2002, p1 as last amended by Council Regulation (EC) No 596/2009 (O.J. No L 188, 18.7.2009, p14).
(**18**) O.J. No L 35, 8.2.2005, p1 as last amended by Council Regulation (EC) No 219/2009 (O.J. No L 87, 31.3.2009, p109).
(**19**) O.J. No L 70, 16.3.2005, p1as last amended by Commission Regulation (EC) No 1097/2009 (O.J. No L 307, 21.11.2009, p9).
(**20**) O.J. No L 139, 30.4.2004, p55 as last amended by Commission Regulation (EC) No 1162/2009 (O.J. No L 314, 1.12.2009, p10).
(**21**) O.J. No L 139, 30.4.2004, p206 as last amended by Council Regulation (EC) No 219/2009 (O.J. No L 87, 31.3.2009, p109).
(**22**) O.J. No L 165, 30.4.2004, p1 as last amended by Council Regulation (EC) No 596/2009 (O.J. No L 188, 18.7.2009, p14).
(**23**) O.J. No L 338, 22.12.2005, p1 as last amended by Commission Regulation (EC) No 1441/2007 (O.J. No L 322, 7.12.2007, p12).
(**24**) O.J. No L 338, 22.12.2005, p27as last amended by Commission Regulation (EC) No 1250/2008 (O.J. No L 337, 16.12.2008, p31).

21. Commission Regulation (EC) No 2075/2005 laying down specific rules on official controls for *Trichinella* in meat(**25**).

22. Commission Regulation (EC) No 1162/2009 laying down transitional measures for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and the of the Council(**26**).

PART II

FRESH MEAT OF BOVINE, OVINE AND CAPRINE ANIMALS AND SWINE

Third countries and health certification requirements for imports of fresh meat

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(**27**).

Third countries established from which fresh meat may be imported

Argentina

2. Commission Decision 81/91/EEC on the list of establishments in the Argentine Republic approved for the purposes of the importation of fresh beef and veal, sheepmeat and meat of domestic solipeds into the Community(**28**).

Australia

3. Commission Decision 83/384/EEC on the list of establishments in Australia approved for the purposes of importing fresh meat into the Community(**29**).

Botswana

4. Commission Decision 83/243/EEC on the list of establishments in the Republic of Botswana approved for the purposes of importing fresh meat into the Community(**30**).

Brazil

5. Commission Decision 81/713/EEC on the list of establishments in the Federative Republic of Brazil approved for the purpose of importing fresh beef and veal and meat of domestic solipeds into the Community(**31**).

Canada

6. Commission Decision 87/258/EEC on the list of establishments in Canada approved for the purpose of importing fresh meat into the Community(**32**).

(**25**) O.J. No L 338, 22.12.2005, p60 as last amended by Commission Regulation (EC) No 1245/2007 (O.J. No L 281, 25.10.2007, p19).
(**26**) O.J. No L 314, 1.12.2009, p10.
(**27**) O.J. No L 73, 20.3.2010, p1.
(**28**) O.J. No L 58, 5.3.81, p39 amended by Commission Decision 86/392/EEC (O.J. No L 228, 14.8.86, p44).
(**29**) O.J. No L 222, 13.8.83 p36 amended by Commission Decision 86/389/EEC (O.J. No L 228, 14.8.86, p34).
(**30**) O.J. No L 129, 19.5.83, p70.
(**31**) O.J. No L 257, 10.9.81, p28 as last amended by Commission Decision 89/282/EEC (O.J. No L 110, 21.4.89, p54).
(**32**) O.J. No L 121, 9.5.87, p50.