STATUTORY RULES OF NORTHERN IRELAND

# 2009 No. 130

# AGRICULTURE

## The Products of Animal Origin (Third Country Imports) (Amendment) Regulations (Northern Ireland) 2009

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| *Made - - - -* | *20th March 2009* |
| *Coming into operation* | *17th April 2009* |

The Department of Agriculture and Rural Development is a Department designated(**1**) for the purposes of making Regulations under section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Community.

These Regulations make provision for a purpose mentioned in that section and it appears to the Department that it is expedient for the references to the legislation set out in the Schedule to be construed as references to that legislation as amended from time to time.

The Department 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) 2009 and shall come into operation on 17th April 2009.

### Interpretation

**2.** The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to an Act of the Assembly.

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

**3.**—(1) The Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007(**4**) are amended as follows.

(**1**) S.I. 2000/2812
(**2**) 1972 c. 68
(**3**) 1954 c.33 (N.I.)
(**4**) S.R. 2007 No.199 as amended by S.R. 2007 No.314

(2) In regulation 2(1), in the definition of "product" in sub-paragraph (b)(iv), for the word "quality" substitute the word "quantity".

(3) In paragraph (1)(c) of regulation 5 (enforcement authorities, exchange of information and powers to give directions), for the word "area" substitute the word "district".

(4) In paragraph (1)(b) of regulation 7 (exercise of enforcement powers), for "to regulation 60" substitute "regulation 61".

(5) In paragraph (a)(i) of regulation 64 (contraventions), for "8(2)" substitute "8(3)".

(6) For Schedule 1 substitute the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 20th March 2009

L.S.

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

SCHEDULE Regulation 3(6)

"SCHEDULE 1 Regulation 2(1), 4(7),21, 36, 37(1) and (6)

IMPORT CONDITIONS

# PART I

## PROVISIONS COMMON TO SEVERAL CATEGORIES OF PRODUCT

### Maximum residue limits and contaminants

1. Council Regulation (EEC) No.2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin(**5**).

2. Council Directive 96/23/EC on measures to monitor certain substances and residues thereof in live animals and animal products(**6**).

3. Commission Decision 2004/432/EC on the approval of residue monitoring plans submitted by third countries in accordance with Council Directive 96/23/EC(**7**).

4. Commission Decision 2005/34/EC laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries (**8**).

5. Commission Regulation (EC) No.1881/2006 setting maximum levels for certain contaminants in foodstuffs(**9**).

6. 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(**10**).

7. 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(**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 their BSE risk (**13**).

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(**5**) O.J. No. L224, 18.8.90, p.1 as last amended by Commission Regulation (EC) No 542/2008(O.J. No. L 157, 17.6.2008, p.43)
(**6**) O.J. No. L125, 23.5.96, p.10 as last amended by Council Directive 2006/104/EC (O.J. No.. L363, 20.12.2006, p.352)
(**7**) O.J. No. L154, 30.4.2004, p.42 as last amended by Commission Decision 2008/772/EC, (O.J. No. L 263, 2.10.2008, p.20)
(**8**) O.J. No. L16, 20.1.2005, p.61
(**9**) O.J. No. L364, 20.12.2006, p.5 as last amended by Commission Regulation (EC) No. 629/2008 (O.J. No. L173, 3.7.2008, p.6)
(**10**) O.J. No. L201, 30.7.2008, p.1
(**11**) O.J. No. L185, 25.7.2000, p.27
(**12**) O.J. No. L147, 31.5.2001, p.1 as last amended by Commission Regulation (EC) No. 103/2009 (O.J. No. L34, 4.2.2009, p.11)
(**13**) O.J. No. L172, 30.6.2007, p.84 as last amended by Commission Decision 2008/829/EC (O.J. No. L294, 1.11.2008, p.14)

**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 Decision 79/542/EEC, 92/260/EEC, 93/195/EEC, 93/196/EEC, 93/197/EEC, 95/328/EC, 96/333/EC, 96/539/EC, 96/540/EC, 2000/572/EC, 2000/585/EC, 2000/666/EC, 2002/613/EC, 2003/56/EC, 2003/779/EC, 2003/804/EC, 2003/858/EC, 2003/863/EC, 2003/881/EC, 2004/407/EC, 2004/438/EC, 2004/595/EC, 2004/639/EC, 2006/168/EC(**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 residue 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 of the European Parliament

(**14**) O.J. No. L104, 21.4.2007, p.37
(**15**) O.J. No. L22, 25.1.2003, p.38 as last amended by Commission Decision 2006/855/EC (O.J. No. L338, 5.12.2006, p.45)
(**16**) O.J. No. L18, 23.1.2003, p.11
(**17**) O.J. No. L31, 1.2.2002, p.1 as last amended by Commission Regulation (EC) No. 202/2008 (O.J. No. L60, 5.3.2008, p.17)
(**18**) O.J. No. L35, 8.2.2005, p.1
(**19**) O.J. No. L70, 16.3.2005, p.1 as last amended by Commission Regulation (EC) No. 839/2008 (O.J. No. L234, 30.8.2008, p.1)
(**20**) O.J. No. L139, 30.4.2004, p.55 as last amended by Commission Regulation (EC) No.1020/2008 (O.J. No. L277, 18.10.2008, p.8)
(**21**) O.J. No. L139, 30.4.2004, p.206 as last amended by Regulation (EC) 1021/2008 (O.J. No. L277, 18.102008, p.15)
(**22**) O.J. No. L165, 30.4.2004, p.1 as last amended by Commission Regulation (EC) No 1029/2008 (O.J. No. L278, 21.10.2008, p.6)
(**23**) O.J. No. L338, 22.12.2005, p.1 as last amended by Commission Regulation (EC) No.1441/2007 (O.J. No. L322, 7.12.2007, p.12)

and of the Council and Regulation 882/2004 of the European Parliament and of the Council, derogating from Regulation 852/2004 of the European Parliament and of the Council(**24**).

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

22. Commission Regulation (EC) No.2076/2005 laying down transitional arrangements for the implementation of Regulations (EC) No.853/2004, (EC) No.854/2004 and (EC) No.882/2004 of the European Parliaments and 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. Council Decision 79/542/EEC drawing up a list of third countries from which the Member States authorise imports of bovine animals, swine and fresh meat(**27**).

### 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**).

(**24**) O.J. No. L338, 22.12.2005, p.27 as last amended by Commission Regulation (EC) No. 1250/2008 (O.J. No. L337, 16.12.2008, p.31)
(**25**) O.J. No. L338, 22.12.2005, p.60 as last amended by Commission Regulation (EC) No 1245/2007 (O.J. No. L281, 25.10.2007, p.19)
(**26**) (O.J. No. L338, 22.12.2005, p.83 as last amended by Commission Regulation (EC) No 1023/2008 (O.J. No. L277, 18.10.2008, p.21)
(**27**) O.J. No. L146, 14.6.79, p.15 as last amended by Commission Decision 2009/4/EC (O.J. L2, 6.1.2009, p.11)
(**28**) O.J. No. L58, 5.3.81, p.39 as amended by Commission Decision 86/392/EEC (O.J. No. L228, 14.8.86, p.44)
(**29**) O.J. No. L222, 13.8.83 p 36 as amended by Commission Decision 86/389/EEC (O.J. No. L228, 14.8.86, p 34)
(**30**) O.J. No. L129, 19.5.83, p.70
(**31**) O.J. No. L257, 10.9.81, p.28 as last amended by Commission Decision 89/282/EEC (O.J. No. L110, 21.4.89, p.54)