STATUTORY RULES OF NORTHERN IRELAND

1999 No. 189

EUROPEAN COMMUNITIES ANIMALS

Miscellaneous Products of Animal Origin (Import Conditions) Regulations (Northern Ireland) 1999

Made - - - -	*20th April 1999*
Coming into operation	*29th May 1999*

The Department of Agriculture, being a Department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Miscellaneous Products of Animal Origin (Import Conditions) Regulations (Northern Ireland) 1999 and shall come into operation on 29th May 1999.

Interpretation

2.—(1) In these Regulations—

"Directive 92/118/EEC" means 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(**3**);

"the Department" means the Department of Agriculture for Northern Ireland;

"frogs legs" means the back part of the body divided by a transversal cut behind the front limbs, eviscerated and skinned, of a frog of the species *Rana* spp. (family *Ranidae*) presented fresh, frozen or processed and intended for human consumption;

(**1**) S.I.1972/1811
(**2**) 1972 c. 68
(**3**) O.J. No. L62, 15.3.93, p. 49 as amended by the Act of Accession (Austria, Finland and Sweden); Commission Decision 94/466/EC (O.J. No. L190, 26.7.94, p. 26); Commission Decision 94/723/EC (O.J. No. L288, 9.11.94, p. 48); Commission Decision 95/338/EC (O.J. No. L200, 24.8.95, p. 35); Commission Decision 95/339/EC (O.J. No. L200, 24.8.95, p. 36); Commission Decision 96/103/EC (O.J. No. L24, 31.1.96, p. 28); Commission Decision 96/340/EC (O.J. No. L129, 30.5.96, p. 35); Commission Decision 96/405/EC (O.J. No. L165, 4.7.96, p. 40) and Council Directive 96/90/EC (O.J. No. L13, 16.1.97, p. 24)

"honey" means honey which is not included in the definition of apiculture product in Article 2(1)(g) of Directive 92/118/EEC;

"miscellaneous product of animal origin" means—

(a) apiculture products;

(b) snails;

(c) frogs legs; and

(d) honey;

"snail" means a terrestrial gastropod of the species *Helix pomatia Linne, Helix aspersa Muller, Helix lucorum* and species of the family *Achatinidae* which is intended for human consumption.

(2) In these Regulations any expression used in Directive 92/118/EEC shall have the same meaning as in that Directive.

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

Miscellaneous products of animal origin originating in another Member State

3. A person shall not import into Northern Ireland from another Member State any miscellaneous product of animal origin originating in another Member State unless—

(a) it originated in an establishment which complies with the requirements of Article 4.2 of Directive 92/118/EEC;

(b) it satisfies the following requirements of Directive 92/118/EEC—

(i) in the case of apiculture products, Chapter 12 of Annex I;

(ii) in the case of snails, paragraphs A and B of Part I of Chapter 3 of Annex II;

(iii) in the case of frogs legs, paragraphs A and B of Part II of Chapter 3 of Annex II; and

(c) where the miscellaneous product of animal origin has passed through a third country, it is accompanied by a certificate certifying that it complies with the relevant requirements of Directive 92/118/EEC.

Miscellaneous products of animal origin originating in a third country

4.—(1) A person shall not import into Northern Ireland any miscellaneous product of animal origin originating in a third country unless it complies with the conditions applicable to that product set out in the Schedule.

(2) The requirement in paragraph (1) shall not apply in relation to the import of a trade sample provided that the import takes place under a licence issued by the Department.

(3) The Department may, when issuing the licence referred to in paragraph (2), attach such conditions as it considers appropriate, including any derogations from the checks provided by Council Directive 90/675/EEC(**5**).

(4) A licence issued under this regulation may be amended, suspended or revoked at any time.

Enforcement

5. The conditions set out in regulations 3 and 4 and the Schedule shall, for the products to which these Regulations apply, be health conditions for the purposes of the Products of Animal Origin

(**4**) 1954 c. 33 (N.I.)
(**5**) O.J. No. L373, 31.12.90, p. 1