2008 No. 3230

AGRICULTURE, ENGLAND


Made - - - - 15th December 2008
Laid before Parliament 19th December 2008
Coming into force - - 15th January 2009

The Secretary of State is a Minister designated for the purposes of making Regulations under section 2(2) of the European Communities Act 1972 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 Secretary of State 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 Secretary of State 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.

1. These Regulations—
(a) may be cited as the Products of Animal Origin (Third Country Imports) (England) (Amendment) Regulations 2008;
(b) apply in England; and
(c) come into force on 15th January 2009.

2. Schedule 1 to the Products of Animal Origin (Third Country Imports) (England) Regulations 2006(e) is replaced with the Schedule set out in the Schedule to these Regulations.

Jane Kennedy
Minister of State

15th December 2008
Department for Environment, Food and Rural Affairs

(a) S. I. 1972/1811.
(b) 1972 c. 68. Paragraph 1A was inserted into Schedule 2 by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).
(c) S. I. 2006/2841 as last amended by S. I. 2007/1605.
SCHEDULE

Replacement Schedule

SCHEDULE 1 Regulations 2(1), 4(7), 21, 36 and 37

Import conditions

PART 1

Provisions Common to Several Categories of Product

Maximum residue limits and contaminants


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(f).

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(g).

(g) OJ No L 185, 25.7.2000, p. 27.
Transmissible spongiform encephalopathies


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

Health certificates for imports of products of animal origin


Health certification for animal products from New Zealand


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


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


(b) OJ No L 172, 30.6.2007, p. 84.
(c) OJ No L 104, 21.4.2007, p. 37.
(e) OJ No L 18, 23.1.2003, p. 11.
(g) OJ No L 35, 8.2.2005, p. 1.


PART 2
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 or parts of third countries, and laying down animal and public health and veterinary certification conditions, for importation into the Community of certain live animals and their fresh meat(f).

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(g).

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(h).

Botswana


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(g) OJ No L 58, 5.3.81, p. 39 as amended by Commission Decision 86/392/EEC (OJ No L 228, 14.8.86, p. 44).
(i) OJ No L 129, 19.5.83, p. 70.
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\(^{(a)}\).

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\(^{(b)}\).

Chile

7. Commission Decision 87/124/EEC on the list of establishments in Chile approved for the purpose of importing fresh meat into the Community\(^{(c)}\).

Croatia

8. Commission Decision 93/26/EEC on the list of establishments in the Republic of Croatia approved for the purpose of importing fresh meat into the Community\(^{(d)}\).

The Falkland Islands

9. Commission Decision 2002/987/EC on the list of establishments in the Falkland Islands approved for the purpose of importing fresh meat into the Community\(^{(e)}\).

Greenland

10. Commission Decision 85/539/EEC on the list of establishments in Greenland approved for the purpose of importing fresh meat into the Community\(^{(f)}\).

Iceland

11. Commission Decision 84/24/EEC on the list of establishments in Iceland approved for the purposes of importing fresh meat into the Community\(^{(g)}\).

Former Yugoslav Republic of Macedonia

12. Commission Decision 95/45/EC on the list of establishments in the former Yugoslav Republic of Macedonia approved for the purpose of importing fresh meat into the Community\(^{(h)}\).

Madagascar

13. Commission Decision 90/165/EEC on the list of establishments in Madagascar approved for the purpose of importing fresh meat into the Community\(^{(i)}\).

\(^{(a)}\) OJ No L 257, 10.9.81, p. 28 as last amended by Commission Decision 89/282/EEC (OJ No L 110, 21.4.89, p. 54).
\(^{(b)}\) OJ No L 121, 9.5.87, p. 50.
\(^{(c)}\) OJ No L 51, 20.2.87, p. 41.
\(^{(f)}\) OJ No L 334, 12.12.85, p. 25.
\(^{(g)}\) OJ No L 20, 25.1.84, p. 21.
\(^{(h)}\) OJ No L 51, 8.3.95, p. 13.
\(^{(i)}\) OJ No L 91, 6.4.90, p. 34.
Mexico


Morocco

15. Commission Decision 86/65/EEC on the list of establishments in Morocco approved for the purpose of importing fresh meat into the Community(b).

Namibia

16. Commission Decision 90/432/EEC on the list of establishments in Namibia approved for the purpose of importing fresh meat into the Community(c).

New Caledonia

17. Commission Decision 2004/628/EC on the list of establishments in New Caledonia from which Member States may authorise importation of fresh meat into the Community(d).

New Zealand

18. Commission Decision 83/402/EEC on the list of establishments in New Zealand approved for the purposes of importing fresh meat into the Community(e).

Paraguay


South Africa

20. Commission Decision 82/913/EEC on the list of establishments in the Republic of South Africa and Namibia approved for the purpose of importing fresh meat into the Community(g).

Swaziland

21. Commission Decision 82/814/EEC on the list of establishments in the Kingdom of Swaziland approved for the purpose of importing fresh meat into the Community(h).

Switzerland

22. Commission Decision 82/734/EEC on the list of establishments in the Swiss Confederation approved for the purposes of exporting fresh meat to the Community(i).

(a) OJ No L 228, 15.8.87, p. 43.
(b) OJ No L 72, 15.3.86, p. 40.
(c) OJ No L 223, 18.8.90, p. 19.
(d) OJ No L 284, 3.9.2004, p. 4.
(h) OJ No L 343, 4.12.82, p. 24.
(i) OJ No L 311, 8.11.82, p. 13 as last amended by Commission Decision 92/2/EEC (OJ No L 1, 4.1.92, p. 22).
United States of America


Uruguay

24. Commission Decision 81/92/EEC on the list of establishments in the Republic of Uruguay approved for the purposes of the importation of fresh beef and veal, sheepmeat and meat of domestic solipeds into the Community(b).

Federal Republic of Yugoslavia


Zimbabwe

26. Commission Decision 85/473/EEC supplementing, by the addition of Zimbabwe, the list of third countries from which Member States authorize imports of bovine animals, swine and fresh meat(d).

Health certificates - Canada

27. Commission Decision 2005/290/EC on simplified certificates for the importation of bovine semen and fresh pig meat from Canada(e).

PART 3
Meat Products

Third countries and health certification requirements for imports of meat products


Third country establishments from which meat products may be imported

Argentina

2. Commission Decision 86/414/EEC on the list of establishments in Argentina approved for the purpose of importing meat products into the Community(g).

Botswana

3. Commission Decision 94/465/EC on the list of establishments in Botswana approved for the purpose of importing meat products into the Community(h).

(b) OJ No L 58, 5.3.81, p. 43 as amended by Commission Decision 86/485/EEC (OJ No L 282, 3.10.86, p. 31).
(c) OJ No L 2, 6.1.98, p. 12.
(d) OJ No L 278, 18.10.85, p. 35.
(e) OJ No L 93, 12.4.2005, p. 34.
(g) OJ No L 237, 23.8.86, p. 36 as amended by Commission Decision 97/397/EC (OJ No L 165, 24.6.97, p. 13).
(h) OJ No L 190, 26.7.94, p. 25.
Brazil

4. Commission Decision 87/119/EC on the list of establishments in Brazil approved for the purpose of importing meat products into the Community(a).

Namibia

5. Commission Decision 95/427/EC on the list of establishments in the Republic of Namibia approved for the purpose of importing meat products into the Community(b).

Uruguay


Zimbabwe

7. Commission Decision 94/40/EC on the list of establishments in Zimbabwe approved for the purpose of importing meat products into the Community(d).

Miscellaneous third countries

8. Commission Decision 97/365/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of products prepared from meat of bovine animals, swine, equidae and sheep and goats(e).

9. Commission Decision 97/569/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of meat products(f).

PART 4

Milk and Dairy Products

Third countries and health certification requirements for imports of milk and milk-based products


Third country establishments from which milk and milk-based products may be imported

2. Commission Decision 97/252/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of milk and milk products for human consumption(h).

(a) OJ No L 49, 18.2.87, p. 37 as amended by Commission Decision 95/236/EC (OJ No L 156, 7.7.95, p. 84).
(b) OJ No L 254, 24.10.95, p. 28.
(c) OJ No L 279, 30.9.86, p. 53 as amended by Commission Decision 96/466/EC (OJ No L 192, 2.8.96, p. 24).
(d) OJ No L 22, 27.1.94, p. 50.
PART 5
Fresh Poultrymeat

General

1. 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(a).

Third country establishments from which fresh poultrymeat may be imported

2. Commission Decision 97/4/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of fresh poultrymeat(b).

PART 6
Wild Game Meat

General

1. Commission Decision 2000/585/EC drawing up a list of third countries from which Member States authorise imports of rabbit meat and certain wild and farmed game meat, and laying down the animal and public health and the veterinary certification conditions for such imports(c).

Third country establishments from which game meat may be imported

2. Commission Decision 97/468/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of wild game meat(d).

PART 7
Minced Meat and Meat Preparations

Health certification requirements


2. Council Decision 79/542/EEC drawing up a list of third countries from which the Member States authorize imports of bovine animals, swine and fresh meat(f) (minced meat).

Third country establishments from which minced meat and meat preparations may be imported

3. Commission Decision 1999/710/EC drawing up provisional lists of third country establishments from which the Member States authorise imports of minced meat and meat preparations (a).

PART 8
Miscellaneous Products

General


Third countries from which products covered by Council Directive 92/118/EEC may be imported


Third country establishments from which products covered by Council Directive 92/118/EEC may be imported

3. Commission Decision 97/467/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of rabbit meat and farmed game meat(d).

4. Commission Decision 99/120/EC drawing up provisional lists of third country establishments from which the Member States authorize imports of animal casings(e).

5. Commission Decision 2001/396/EC amending Decision 97/467/EC drawing up provisional lists of third country establishments from which Member States authorise imports of rabbit meat and farmed game meat, with respect to imports of ratite meat(f).

6. Commission Decision 2001/556/EC drawing up provisional lists of third country establishments from which Member States authorise imports of gelatine intended for human consumption(g).

Health certification requirements

7. Commission Decision 2000/585/EC laying down animal and public health conditions and veterinary certifications for import of wild and farmed game meat and rabbit meat from third countries(h).

(f) OJ No L 139, 23.5.2001, p. 16.


Animal by-products


15. Council Regulation 1523/2007 of the European Parliament and of the Council banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur (h).

Hay and straw (third countries from which imports are permitted)


Composite products


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(b) OJ No L 325, 12.12.2003, p. 46.
(g) OJ No L 379, 28.12.2006, p. 98.
(i) OJ No L 21, 28.1.2004, p. 11.
(j) OJ No L 116, 4.5.2007, p. 9.
PART 9

Genetic Material

Bovine material


5. Commission Decision 2006/168/EC establishing the animal health and veterinary certification requirements for imports into the Community of bovine embryos(e).

Porcine material


7. Commission Decision 2002/613/EC laying down the importation conditions of semen of domestic animals of the porcine species(g).

8. Commission Decision 2008/636/EC establishing the list of third countries from which Member States authorise imports of ova and embryos of the porcine species(h).

Ovine and caprine material


10. Commission Decision 2008/635/EC on imports of semen ova and embryos of the ovine and caprine species into the Community as regards lists of third countries and of semen collection centres and embryo collection teams, and certification requirements(j).

Equine material


(h) OJ No L 206, 2.8.2008, p. 32.
12. Commission Decision 96/539/EC on animal health requirements and veterinary certification for imports into the Community of semen of the equine species (a).

13. Commission Decision 96/540/EC on animal health requirements and veterinary certification for imports into the Community of ova and embryos of the equine species (b).

14. Commission Decision 2004/211/EC establishing the list of third countries and parts of territory thereof from which Member States authorise import of live equidae and semen, ova and embryos of the equine species (c).

15. Commission Decision 2004/616/EC establishing the list of approved semen collection centres for imports of equine semen from third countries (d).

Fish material


PART 10
Fishery Products

General provisions


2. Commission Decision 2003/804/EC laying down the animal health conditions and certification requirements for imports of molluscs, their eggs and gametes for further growth, fattening, relaying or human consumption (g).


Health certification

5. Commission Decision 2003/804/EC laying down the animal health conditions and certification requirements for imports of molluscs, their eggs and gametes for further growth, fattening, relaying or human consumption (j).


Third countries from which fishery products may be imported


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

Special import conditions for fishery products

United States of America


PART 11
Interpretation of this Schedule

Interpretation

1. All references to Community legislation in this Schedule are references to that legislation as amended from time to time.

(d) OJ No L 71, 10.3.2006, p. 17.
EXPLANATORY NOTE
(This note is not part of the Regulations)

These Regulations replace Schedule 1 to the Products of Animal Origin (Third Country Imports) (England) Regulations 2006. The new Schedule incorporates a number of new and amended pieces of Community legislation that have come into force since those Regulations came into force.

The new Schedule provides that the provisions in Schedule 1 are now ambulatory.

An Impact Assessment has not been prepared for this instrument as no impact on business, charities or voluntary bodies is foreseen.
2008 No. 3230

AGRICULTURE, ENGLAND


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