



STATUTORY INSTRUMENTS.

**S.I. No. 656 of 2020**

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EUROPEAN UNION (IMPORTS OF ANIMALS AND ANIMAL  
PRODUCTS FROM THIRD COUNTRIES) REGULATIONS 2020

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S.I. No. 656 of 2020

EUROPEAN UNION (IMPORTS OF ANIMALS AND ANIMAL PRODUCTS FROM THIRD COUNTRIES) REGULATIONS 2020

I, CHARLIE MCCONALOGUE, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving full effect to the acts of the institutions of the European Union cited in Schedule 1 to these Regulations (to the extent that those acts apply to the import of animals and animal products from third countries), hereby make the following regulations:

**Part 1**

**Preliminary and General**

**Citation**

1. These are the European Union (Imports of Animals and Animal Products from Third Countries) Regulations 2020.

**Interpretation**

2. (1) In these Regulations—

“accompanied” includes, in relation to a document in non-legible form, that document downloaded in legible form to an electronic device

“animal product” means—

- (a) the carcass, meat or other food derived from an animal or anything that contains a food derived from an animal,
- (b) the semen, egg, ovum, embryo or foetus of an animal,
- (c) an animal by-product or anything containing an animal by-product,
- (d) a sample derived from an animal, or
- (e) anything derived from an animal or that consists of or contains an animal product;

“authorised officer” means—

- (a) an authorised officer within the meaning of the Animal Health and Welfare Act 2013, or
- (b) an authorised officer within the meaning of the European Union (Food and Feed Hygiene) Regulations 2020;

“border control post” means a place specified in Schedule 2;

“European Regulation” means Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 (as amended by Commission Delegated Regulation (EU) 2019/478 of 14 January 2019 and Commission Delegated Regulation (EU) 2019/2127 of 10 October 2019);

“Minister” means Minister for Agriculture, Food and the Marine;

“record” includes a memorandum, book, plan, map, drawing, diagram, pictorial or graphic work or other document, a photograph, film or recording (whether of sound or images or both), any form in which data are held, any other form (including machine-readable form) or thing in which information is held or stored manually, mechanically, electronically or optically and anything that is a part or a copy, in any form, of any of the foregoing or is a combination of 2 or more of the foregoing;

“search warrant” means a search warrant under Regulation 27;

“sell” includes offer, expose or keep for sale, invite an offer to buy, distribute, barter or exchange;

“supply” includes giving without payment.

(2) A word or expression that is used in these Regulations and that is also used in an act of the institutions of the European Union cited in Schedule 1 has, unless the contrary intention appears, the same meaning in these Regulations that it has in the act in which it is used.

(3) A reference in these Regulations to an official certificate, an official attestation, a Common Health Entry Document or any other record includes a reference to such record in non-legible, electronic form, provided it is capable of being reproduced in legible form.

(4) In these Regulations, a reference to animal product includes, where the context so requires or admits, a reference to hay and straw.

### **Exercise of certain functions**

3. (1) The functions conferred on a Member State by Articles 28, 30, 31, 35, 39, 62, 63, 66 (5), 74 (1), 102, 104, 105 (1), 106 (1) and (3) and 107 of the European Regulation may be exercised by the Minister.

(2) The functions conferred on a liaison body by Article 103 of the European Regulation may be exercised by the Minister.

(3) The functions conferred on a competent authority by Article 36, 44, 66 (other than paragraph (5)), 68, 72 of the European Regulation may be exercised by an authorised officer.

(4) The functions conferred on the competent authority by Article 5 of Commission Implementing Regulation (EU) 2019/2126 of 10 October 2019, may be exercised by the Sea Fisheries Protection Authority, for the purpose of that provision having full effect, a sea-fisheries protection officer may exercise any or all of the powers conferred on a sea-fisheries protection officer by the Sea Fisheries and Maritime Jurisdiction Act 2006.

(5) This Regulation is without prejudice to the exercise of a function, whether under these Regulations, the European Regulation or an act of the institutions of the European Union mentioned in Schedule 1 by either the Minister or an authorised officer.

## **Part 2**

### **Border Control Posts and Laboratories**

#### **Border Control Posts**

4. A place mentioned in column (2) of Schedule 2 is designated for the purposes of Article 59 of the European Regulation as a border control post in respect of the animals and animal products mentioned at the appropriate reference number in column (3) of that Schedule opposite that mention.

#### **National reference laboratories**

5. The national reference laboratories designated for the purposes of Article 100 of the European Regulation are the laboratories set out in Schedule 3.

#### **Official laboratories**

6. (1) The official laboratories designated for the purposes of Article 37 of the European Regulation are the laboratories set out in Schedule 4.

(2) The Minister may, by instrument in writing, designate such and so many laboratories or a class of laboratories as he or she considers appropriate to be official laboratories for the purposes of some or all of the functions of an official laboratory as may be specified in the instrument.

(3) The Minister may terminate the designation of an official laboratory whether or not the appointment was for a fixed period.

(4) A designation as an official laboratory ceases—

- (a) if terminated pursuant to paragraph (3),
- (b) if for a fixed period, on the expiry of that period, or
- (c) if for a particular purpose, on the completion of that purpose.

(5) Nothing in paragraph (3) prevents the Minister from designating as an approved laboratory a laboratory to which that paragraph relates.

#### **Remedial measures**

7. The period (referred to in Article 69 (1) of the European Regulation) for compliance with measures (specified in Article 66 (3) or 67 of the European Regulation) ordered by means of an import control notice is a period not exceeding 60 days, stated on the face of the notice requiring compliance by that date.

## **Part 3**

### **Imports of animals and animal products**

#### **Restriction on import**

8. (1) A person who imports an animal or animal product from a third country other than in accordance with the European Regulation and the other

acts of the institutions of the European Union mentioned in Schedule 1, commits an offence.

(2) A person shall not have in his or her possession or under his or her control an animal or animal product that has been imported in contravention of paragraph (1) or Regulation 9.

### **Common Health Entry Document**

9. A person who imports an animal or animal product that is required to be accompanied by a Common Health Entry Document that is not accompanied by a duly completed Common Health Entry Document, commits an offence.

### **Notification of import**

10. (1) A person who fails to give prior notification of the intended import of an animal or animal product from a third country at the border control post where it is intended to import the animal or animal product no later than 24 hours before the intended time of arrival of the animal or product at the border control post, as required by Article 56 of the European Regulation and for the purposes of Article 1 (2) of Commission Implementing Regulation (EU 2019/1013 of 16 April 2019, commits an offence.

(2) The period of 24 hours mentioned in paragraph (1) is calculated by disregarding, unless the border control post operates on such day, any Saturday, Sunday or public holiday.

### **Obligation to present**

11. (1) A person who—

- (a) imports an animal or animal product mentioned in Article 47 (1) that has not undergone a check mentioned in Article 49 (1) of the European Regulation,
- (b) fails to present an animal or animal product referred to in paragraph (a) for a documentary check at the border control post to which notification under Article 56 of the European Regulation relates, or
- (c) has in his or her possession or under his or her control, sells, supplies or transports an animal or animal product referred to in paragraph (a),

commits an offence.

(2) A person who transports an animal or animal product through the State as part of a journey between two third countries—

- (a) without authorisation referred to in Article 18, or
- (b) other than in accordance with the conditions set down in Article 19,

of Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019, commits an offence.

(3) A person who imports an animal or animal product that has passed through a third country and fails to present the animal or animal product in contravention of Article 37 (2) of Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019, commits an offence.

(4) A person who exports an animal that is to pass through a third country and fails to present the animal in contravention of Article 37 (5) of Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019, commits an offence.

### **Removal from border control post**

12. A person who removes an animal or animal product imported from a third country from a border control post commits an offence unless the animal or animal product is accompanied by a duly finalised Common Health Entry Document permitting such removal.

### **Provisions relating to transport**

13. (1) A person who transports a consignment—

- (a) that is not sealed as required by Article 2 (a),
- (b) that has been unloaded other than at the place of destination stated on the Common Health Entry Document relating to the consignment, in contravention of Article 2 (b), or
- (c) other than to the place of destination stated on the Common Health Entry Document relating to the consignment, in contravention of Article 2 (c),

of Commission Delegated Regulation (EU) 2019/1666 of 24 June 2019, commits an offence.

(2) A person who removes, interferes with or defaces a seal referred to in paragraph (1) (a), commits an offence.

(3) A person who fails to ensure that a consignment of animal products is stored during the transshipment period as required by Article 14 of Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019, commits an offence.

(4) A person who fails to provide notification regarding transshipment of an animal product as required by Article 16 (1) and (3) of Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019, commits an offence.

(5) A person who transports an animal product from a warehouse other than—

- (a) to a destination specified in Article 24, and
- (b) in accordance with Article 28, or where applicable, Article 29, of Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019, in contravention of either of those Articles,

commits an offence.



(6) A person who does not present an animal product being exported to a third country at a border control post in contravention of Article 32 of Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019, commits an offence.

(7) A person who transports an animal or animal product to which Article 37 of Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019 relates, other than in accordance with that provision, commits an offence.

## **Part 4**

### **Official certificates, etc.**

#### **Official certificates**

14. (1) A person who imports an animal or animal product that is not accompanied by duly completed original certificates or documents as required by Article 50 (1) of the European Regulation from a third country, commits an offence.

(2) A person who purports to issue an official certificate to which Commission Implementing Regulation (EU) 2019/2128 of 12 November 2019 applies other than in accordance with—

- (a) the model set out in Part 1 of the Annex to that Regulation,
- (b) the requirements set out in Article 3, or, as the case may be, Article 4, of that Regulation,

commits an offence.

(3) A person who purports to issue a replacement certificate other than in accordance with Article 5 of Commission Implementing Regulation (EU) 2019/628 of 6 April 2019 commits an offence.

(4) A person who fails to complete an official certificate to which that provision applies in accordance with Article 6 of Commission Implementing Regulation (EU) 2019/628 of 6 April 2019 commits an offence.

#### **Official attestation**

15. A person who—

- (a) issues a false or misleading official attestation,
- (b) in issuing an official attestation enters false or misleading information on the attestation,
- (c) alters or defaces an official attestation,
- (d) purports to issue an official attestation, other than in accordance with Article 91 (2) of the European Regulation, or
- (e) has a record to which this paragraph relates in his or her possession or under his or her control,

commits an offence.

### **Splitting consignment**

16. A person who splits a consignment of animal products other than in conformity with Article 50 (3) of the European Regulation commits an offence.

### **Provision of certain information**

17. The operator of a—

- (a) port or airport or an international travel operator operating at a port or airport who fails to provide information or facilitate the display of notices as required by Articles 8 (3) and 12 (2), or
- (b) postal service who fails provide the information referred to in Article 10 (3),

of Commission Delegated Regulation 2019/2122 of 10 October 2019 commits an offence.

### **Facilities for official controls**

18. A person who fails—

- (a) to give an authorised officer access to—
  - (i) land, equipment, container or vehicle,
  - (ii) a computerised information management system,
  - (iii) animals or goods in the person's possession or under the person's control, or
  - (iv) documents or other relevant information,in contravention of Article 15 (1) of the European Regulation,
- (b) to cooperate with an authorised officer in contravention of Article 15 (2),
- (c) to make available information concerning animals or goods in contravention of Article 15 (3),
- (d) to present original official certificates or other records to an authorised officer at a border control post in contravention of Article 50 (1), or
- (e) to duly complete the Common Health Entry Document in contravention of Article 56 (1) or (3),

of the European Regulation, commits an offence.

### **Additional safeguard measures**

19. A person commits an offence if he or she imports an animal or animal product from a country mentioned in column (2) of Schedule 5 other than in accordance with an act of the institutions of the European Union mentioned in column (3) of that Schedule opposite that mention of the country.

### Miscellaneous contraventions of European Regulation

20. A person who—
- (a) fails to comply with a direction in contravention of Article 69 (1),
  - (b) re-dispatches a consignment in contravention of Article 72, or
  - (c) otherwise contravenes a provision of the European Regulation, commits an offence.

## Part 5

### Warehouse approval and licences

#### Warehouse approval

21. (1) A person shall not operate a warehouse for the purposes of Article 19 (e) (ii) of Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019 unless the warehouse is approved for the purposes of that Regulation (“warehouse approval”).

(2) The Minister may grant a warehouse approval, attach conditions to the approval, vary or revoke a condition, or revoke a warehouse approval.

(3) An application for a warehouse approval shall be in a form and contain any information that the Minister requires.

(4) The Minister shall not consider an application for a warehouse approval unless the application contains all the material and particulars sought by the Minister and is accompanied by the fee (if any) set in accordance with Regulation 36.

(5) Without prejudice to the generality of paragraph (2), the Minister may refuse an application for a warehouse approval or revoke a warehouse approval if, in his or her opinion—

- (a) the applicant or person to whom the approval is granted has committed an offence, whether he or she has been convicted or not, under the Act or Regulations made under the European Communities Act 1972 that relate to animal products,
- (b) the applicant or person to whom a warehouse approval is granted has failed to comply with a condition of a warehouse approval,
- (c) in relation to an application, information required has not been furnished or information that is false or misleading in a material respect has been furnished, or
- (d) the warehouse ceases to be used to store animal products.

(6) The Minister may refuse an application for a warehouse approval or revoke a warehouse approval if, in his or her opinion—

- (a) the warehouse does not, ceases to, or will not conform with Article 23 (2) of Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019,

- (b) the applicant or person to whom the approval has been granted, having been given 14 days to do so, fails to pay a fee under Regulation 36,
- (c) it is necessary for the protection of animal health or welfare or the environment including the prevention, control or eradication of a disease, or
- (d) it is necessary, ancillary or supplementary for an act of the institutions of the European Union to have full effect.

(7) The Minister may refuse an application or revoke a warehouse approval in accordance with paragraph (9) if he or she is of the opinion that—

- (a) it is necessary for the protection of animal health or welfare or the environment including the prevention, control or eradication of a disease, or
- (b) it is necessary, ancillary or supplementary for an act of the institutions of the European Union to have full effect.

(8) Other than in the case of paragraph (6) (c) or (d), if the Minister proposes to refuse an application or revoke an approval, he or she shall—

- (a) notify the applicant or person to whom the approval has been granted of the proposal and the reasons for the proposal, and that he or she may make representations in relation to the proposal to the Minister within 14 days of the date of issue of the notification,
- (b) consider a representation duly made before deciding whether to proceed with, or annul the proposal, and
- (c) notify the applicant or person to whom the approval has been granted of the decision and the reasons for the decision.

(9) If the Minister refuses an application or revokes a warehouse approval in accordance with this paragraph, he or she shall—

- (a) notify the applicant or person to whom the approval has been granted of the decision and the reasons for the decision, and that he or she may make representations in relation to the decision to the Minister within 14 days of the date of issue of the notification,
- (b) consider a representation made, and
- (c) confirm, modify or annul the decision and notify the applicant or person to whom the approval had been granted of the decision and the reasons for the decision.

(10) The holder of a warehouse approval shall make such returns to the Minister as the Minister may require.

(11) A person who fails to inform an authorised officer of the arrival of an animal product at a warehouse in contravention of Article 27 of Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019, commits an offence.

### **Import of certain invertebrates**

22. (1) A person shall not import invertebrates for medical or scientific purposes from a third country other than in accordance with a licence granted for the purposes of this Regulation (“import licence (invertebrates)”).

(2) The Minister may grant an import licence (invertebrates) to a person engaged in medical practice or scientific research, attach conditions to the licence, vary or revoke a condition, or revoke an import licence (invertebrates).

(3) An application for an import licence (invertebrates) shall be in a form, and contain any information, that the Minister requires.

(4) The Minister shall not consider an application for an import licence (invertebrates) unless the application contains all the material and particulars sought by the Minister and is accompanied by the fee (if any) set in accordance with Regulation 36 (1).

(5) Without prejudice to the generality of paragraph (2), the Minister may refuse an application for an import licence (invertebrates) or revoke an import licence (invertebrates) if, in his or her opinion—

- (a) the applicant or person to whom the licence is granted has committed an offence, whether he or she has been convicted or not, under Regulations made under the European Communities Act 1972 that relate to animal products,
- (b) the applicant or person to whom an import licence (invertebrates) is granted has failed to comply with a condition of an import licence (invertebrates), or
- (c) in relation to an application, information required has not been furnished or information that is false or misleading in a material respect has been furnished.

(6) The Minister shall refuse an application for an import licence (invertebrates) or revoke an import licence (invertebrates) if, in his or her opinion—

- (a) the applicant or person to whom the licence has been granted, having been given 14 days to do so, fails to pay a fee under Regulation 36,
- (b) it is necessary for the protection of animal health or welfare or the environment including the prevention, control or eradication of a disease, or
- (c) it is necessary, ancillary or supplementary for an act of the institutions of the European Union to have full effect.

(7) An import licence (invertebrates) shall be expressed and operate to exempt the invertebrate to which the licence relates for the purposes of Article 3 of Commission Delegated Regulation (EU) 2019/2122 of 10 October 2019.

(8) Other than in the case of paragraph (6) (b) or (c), if the Minister proposes to refuse an application or revoke an import licence (invertebrates) he or she shall—

- (a) notify the applicant or person to whom the licence has been granted of the proposal and the reasons for the proposal, and that he or she may make representations in relation to the proposal to the Minister within 14 days of the date of issue of the notification,
- (b) consider a representation duly made before deciding whether to proceed with, or annul the proposal, and
- (c) notify the applicant or person to whom the licence has been granted of the decision and the reasons for the decision.

(9) The Minister may refuse an application or revoke an import licence (invertebrates) in accordance with paragraph (10) if he or she is of the opinion that—

- (a) it is necessary for the protection of animal health or welfare or the environment including the prevention, control or eradication of a disease, or
- (b) it is necessary, ancillary or supplementary for an act of the institutions of the European Union to have full effect.

(10) If the Minister refuses an application or revokes an import licence (invertebrates) in accordance with this paragraph, he or she shall—

- (a) notify the applicant or person to whom the licence has been granted of the decision and the reasons for the decision, and that he or she may make representations in relation to the decision to the Minister within 14 days of the date of issue of the notification,
- (b) consider a representation made, and
- (c) confirm, modify or annul the decision and notify the applicant or person to whom the licence had been granted of the decision and the reasons for the decision.

(11) The holder of an import licence (invertebrates) shall make such returns to the Minister as he or she may require.

### **Imports for research or scientific purposes**

23. (1) A person shall not import samples for research or scientific purposes from a third country other than in accordance with a licence granted for the purposes of this Regulation (“import licence”).

(2) The Minister may grant an import licence to a person engaged in scientific research or diagnosis, attach conditions to the licence, vary or revoke a condition, or revoke an import licence.

(3) An application for an import licence shall be in a form and contain any information that the Minister requires.

(4) The Minister shall not consider an application for an import licence unless the application contains all the material and particulars sought by the Minister and is accompanied by the fee (if any) set in accordance with Regulation 36 (1).

(5) Without prejudice to the generality of paragraph (2), the Minister may refuse an application for an import licence or revoke an import licence if, in his or her opinion—

- (a) the applicant or person to whom the licence is granted has committed an offence, whether he or she has been convicted or not, under Regulations made under the European Communities Act 1972 that relate to animal products,
- (b) the applicant or person to whom an import licence is granted has failed to comply with a condition of an import licence,
- (c) in relation to an application, information required has not been furnished or information that is false or misleading in a material respect has been furnished, or
- (d) the applicant or person to whom the licence is granted is not a fit person.

(6) The Minister shall refuse an application for an import licence or revoke an import licence if, in his or her opinion—

- (a) the applicant or person to whom the licence has been granted, having been given 14 days to do so, fails to pay a fee under Regulation 36,
- (b) it is necessary for the protection of animal health or welfare or the environment including the prevention, control or eradication of a disease, or
- (c) it is necessary, ancillary or supplementary for an act of the institutions of the European Union to have full effect.

(7) An import licence shall be expressed and operate to exempt the research or scientific samples to which the licence relates for the purposes of Article 3 or 4 of Commission Delegated Regulation (EU) 2019/2122 of 10 October 2019.

(8) Other than in the case of paragraph (6) (b) or (c), if the Minister proposes to refuse an application or revoke an import licence, he or she shall—

- (a) notify the applicant or person to whom the licence has been granted of the proposal and the reasons for the proposal, and that he or she may make representations in relation to the proposal to the Minister within 14 days of the date of issue of the notification,
- (b) consider a representation duly made before deciding whether to proceed with, or annul the proposal, and
- (c) notify the applicant or person to whom the licence has been granted of the decision and the reasons for the decision.

(9) The Minister may refuse an application or revoke an import licence in accordance with paragraph (10) if he or she is of the opinion that—

- (a) it is necessary for the protection of animal health or welfare or the environment including the prevention, control or eradication of a disease, or

- (b) it is necessary, ancillary or supplementary for an act of the institutions of the European Union to have full effect.

(10) If the Minister refuses an application or revokes an import licence in accordance with this paragraph, he or she shall—

- (a) notify the applicant or person to whom the licence has been granted of the decision and the reasons for the decision, and that he or she may make representations in relation to the decision to the Minister within 14 days of the date of issue of the notification,
- (b) consider a representation made, and
- (c) confirm, modify or annul the decision and notify the applicant or person to whom the licence had been granted of the decision and the reasons for the decision.

(11) The holder of an import licence shall make such returns to the Minister as the Minister may require.

## **Part 6**

### **Enforcement**

#### **Functions of authorised officer**

24. (1) An authorised officer may—
- (a) enter and inspect land where he or she has reasonable grounds for believing that—
    - (i) an animal or animal product is, may be or has been present,
    - (ii) a record relating to an animal or animal product is, may be or has been present,
    - (iii) equipment, machinery, a vehicle, a vessel or other thing used in connection with an animal or animal product is, may be or has been present,
  - (b) examine an animal or animal product,
  - (c) require the name and address of the owner, or person in possession or control of an animal or animal product, record, equipment, machinery, a vehicle or a vessel used in connection with an animal or animal product,
  - (d) inspect a vehicle, a vessel, an aircraft, a railway wagon, a container, equipment, machinery, a record or other thing used in connection with an animal or animal product,
  - (e) require the person in possession or control of an animal or animal product or other thing mentioned in subparagraph (d) to refrain from moving it,
  - (f) require the owner, person in possession or control of land, equipment, machinery, a computerised information management system, a vehicle, a vessel or other thing used in connection with an animal or animal product, to produce to the officer such



records (and in the case of a record stored in non-legible form, produce to him or her a copy in a legible form) that are in the person's possession or procurement, or under the person's control, as the officer may reasonably require,

- (g) inspect and take copies of any record (including a legible reproduction of one stored in non-legible form) or extracts from the record that the officer finds or is produced to him or her during an inspection,
- (h) make a record, including by means of writing, sound recording, photograph, video or other means, or
- (i) take, without making a payment, and mark or otherwise identify samples from an animal or animal product or other thing, or any article, substance or liquid as he or she may reasonably require and carry out or cause to be carried out on the samples such tests, analyses, examinations or inspections as he or she considers necessary or expedient.

(2) An authorised officer may require a person to give such information regarding the ownership and identity of an animal or animal product or other thing mentioned in paragraph (1) (d) as is in the person's knowledge or procurement.

(3) Where an authorised officer has reasonable grounds for believing that—

- (a) a contravention of these Regulations, the European Regulation or other act of the institutions of the European Union mentioned in Schedule 1 is taking place or has taken place,
- (b) an offence is being or has been committed under these Regulations, or
- (c) evidence of a contravention or an offence to which subparagraph (a) or (b) relates may be, is or has been on any land, or in a vehicle, a vessel, an aircraft, a railway wagon, a container, equipment or machinery,

the officer may, in addition to the powers exercisable by him or her under paragraph (1):

- (i) search land,
- (ii) search a vehicle, vessel, aircraft, railway wagon, container, equipment or machinery,
- (iii) require a person in possession or control of a vehicle, vessel, aircraft, railway wagon, container, equipment or machinery to—
  - (I) refrain from moving it, or move it to a location where it may be searched,
  - (II) give information regarding its place of departure, journey or destination, and
  - (III) where the equipment or machinery is part of a computerised information management system,

provide assistance (including passwords) to enable access to such devices or systems,

- (iv) seize and detain an animal or animal product or other thing mentioned in paragraph (1) (d) and mark or otherwise identify it,
- (v) detain the vehicle, vessel, aircraft, railway wagon, equipment, machinery or container for such reasonable period necessary for the purposes of permitting an inspection or a search under this Regulation either at the place where it was first detained or require it to be moved to such other location as the authorised officer requires,
- (vi) remove any equipment, machinery, books, documents or records and detain them for such reasonable period necessary for the purpose of his or her functions under these Regulations,
- (vii) give such direction to a person who has an animal or animal product or other thing mentioned in paragraph (1) (d) in his or her possession or under his or her control or who has information relating to such, as the authorised officer may reasonably consider necessary for the purposes of these Regulations.

(4) An authorised officer shall not enter, except with the consent of the occupier, a private dwelling unless he or she has obtained a search warrant other than where he or she has reasonable grounds for believing that before a search warrant could be sought in relation to the dwelling any evidence of an offence referred to in paragraph (3) is being or is likely to be disposed of or destroyed.

(5) An authorised officer, when exercising a function under this Regulation, may be accompanied by other persons and may take with him or her, or those persons may take with them, any equipment or materials to assist the officer in the exercise of the function.

(6) An authorised officer may use reasonable force, if necessary, to exercise his or her functions under these Regulations.

(7) Where, in the course of exercising a function under these Regulations, an authorised officer finds or comes into possession of anything that the officer has reasonable grounds for believing to be evidence of an offence or suspected offence under these Regulations, the officer may seize and retain it for use in evidence in proceedings for an offence under these Regulations.

#### **Assistance, etc. to authorised officer**

25. (1) A person who has an animal or animal product or other thing mentioned in Regulation 24 (1) (d) in his or her possession or under his or her control, or information or a record relating to any of them, shall give such—

- (a) assistance to an authorised officer, or person who accompanies the officer, and

- (b) information to an authorised officer on request being made, in that behalf by the officer, as the officer may reasonably require for the exercise of his or her functions under these Regulations.

(2) The owner or person in charge of any land used in connection with an animal or animal product shall, if required by an authorised officer, where it is practicable and possible, provide suitable equipment or facilities or a suitable place for the officer to carry out his or her functions under these Regulations.

### **Obstruction, etc.**

26. (1) A person who—

- (a) obstructs, interferes with or impedes an authorised officer, or any person who accompanies an authorised officer, in the course of exercising a function conferred on the officer under these Regulations,
- (b) fails or refuses, without reasonable cause, to comply with a requirement of an authorised officer under Regulation 24,
- (c) fails, without reasonable cause, to give assistance or requested information to an authorised officer in accordance with Regulation 25,
- (d) in purporting to give information to an authorised officer for the exercise of the officer's functions under these Regulations—
  - (i) makes a statement that he or she knows to be false or misleading in a material particular or recklessly makes a statement which is false or misleading in a material particular, or
  - (ii) intentionally fails to disclose a material particular,
- (e) tampers or otherwise interferes with a sample taken under Regulation 24, or
- (f) aids or abets a contravention of these Regulations, the European Regulation or other act of the institutions of the European Union mentioned in Schedule 1,

commits an offence.

(2) A statement or admission made by a person pursuant to a requirement under Regulation 25 (1) (b) is not admissible in evidence in proceedings brought against the person for an offence (other than an offence under this Regulation for failing to give information or giving false information).

### **Search warrant**

27. (1) If a judge of the District Court is satisfied by information on oath of an authorised officer that there are reasonable grounds for believing—

- (a) evidence of or relating to the commission or intended commission of an offence under these Regulations is to be found on land, a vehicle, vessel or aircraft,
- (b) there is or was an animal or animal product on the land, a vehicle, vessel or aircraft, or
- (c) a record related to a thing to which subparagraph (a) or (b) refers is or may be on the land, a vehicle, vessel or aircraft,

the judge may issue a search warrant.

(2) A search warrant shall be expressed and operate to authorise a named authorised officer, accompanied by such authorised officers or other persons as the named authorised officer thinks necessary, at any time, within one month from the date of issue of the warrant, on production if so requested of the warrant, to enter (if necessary by use of reasonable force) the land, vehicle, vessel or aircraft named in the warrant.

(3) If land is entered under a search warrant, an authorised officer so entering may exercise all or any of the powers conferred on an authorised officer under these Regulations.

### **Import control notice**

28. (1) Where an authorised officer is of the opinion that—

- (a) these Regulations, the European Regulation or other act of the institutions of the European Union mentioned in Schedule 1 is not being or has not been complied with, or there are reasons to believe that these Regulations, the European Regulation or such other act will not be complied with,
- (b) it is necessary for the protection of human health, animal health, animal welfare or the environment, or
- (c) it is necessary, ancillary or supplementary for the European Regulation or other act of the institutions of the European Union mentioned in Schedule 1 to have full effect,

the officer may serve a notice (“import control notice”) stating that opinion to the person—

- (i) who appears to be the owner, occupier, or person in charge of the land, or
- (ii) in possession or control of an animal or animal product or other thing mentioned in Regulation 24 (1) (d),

to which the notice relates.

(2) An import control notice shall—

- (a) require the person to whom it is served to take such action as specified in the notice,
- (b) inform the person to whom it is served that he or she may appeal the notice in the District Court under Regulation 29, and

(c) state that if the person to whom it is served fails to comply with the notice, he or she commits an offence.

(3) An import control notice may require that—

- (a) an animal or animal product be dealt with in a manner specified in the notice,
- (b) an animal or animal product be detained, disposed of or destroyed in such manner and at a place (if any) specified in the notice,
- (c) a specified type or level of sampling and analysis be undertaken for a period specified in the notice,
- (d) the transport or further transport of an animal or animal product be prohibited either absolutely or unless such conditions as may be specified in the notice are complied with,
- (e) a person return an animal or animal product to the place of departure or other place by a route which in the opinion of the authorised officer is the most direct or prudent,
- (f) a measure within the meaning of a particular provision of the European Regulation or other act of the institutions of the European Union mentioned in Schedule 1 be taken as specified in the notice, or
- (g) a particular operation or activity may only be carried out under and in accordance with such terms and conditions as are specified in the notice.

(4) Where the owner, occupier, or person in charge of land or the person in possession or control of an animal or animal product or other thing cannot be identified after reasonable enquiry, it is sufficient compliance with paragraph (1) to address an import control using the term “the owner/occupier”, or “the person having possession” or a similar designation.

(5) A person on whom an import control notice is served shall comply with the import control notice until the notice expires, is withdrawn under paragraph (7) or is annulled under Regulation 29, and not cause or permit another person to contravene the terms of the notice.

(6) An import control notice may specify a time limit within which it is to be complied with.

(7) An import control notice may be modified or withdrawn in a further notice and the earlier notice has effect subject to the modification or withdrawal.

(8) An import control notice may require a person to choose two or more of the requirements specified in the notice.

### **Appeal against import control notice**

29. (1) A person to whom an import control notice is served may, within 7 days from the date of service of the notice, appeal the notice to the Judge of the District Court having jurisdiction in the District Court district—

- (a) where the subject of the notice, is situated, or

- (b) where the person bringing the appeal ordinarily resides or carries on business,

on the grounds that the notice is unreasonable having regard to these Regulations, the European Regulation or other act of the institutions of the European Union mentioned in Schedule 1 (“appeal”).

(2) Notice of an appeal shall contain a statement of the grounds upon which it is alleged that the notice or any of the terms of the notice are unreasonable.

(3) A person bringing an appeal shall lodge a copy of the notice or appeal with the District Court Clerk concerned not later than 48 hours prior to the hearing of the appeal.

(4) On the hearing of an appeal a Judge of the District Court may confirm, modify or annul an import control notice.

(5) A person, including a person on whom an import control notice has been served, who—

- (a) pending the determination of an appeal, deals with an animal or animal product to which the notice relates, other than in accordance with the terms of the import control notice, or

- (b) if the notice is confirmed or modified on appeal, deals with an animal or animal product to which the notice relates other than in accordance with the terms of the import control notice as confirmed or modified

commits an offence.

### **Seizure and detention for non-compliance with notice**

30. (1) Without prejudice to an appeal, if—

- (a) a person in control of an animal or animal product to which an import control notice relates, or in control of land, vessel, vehicle, equipment, machinery or other thing used in connection with an animal or animal product fails to comply with the terms of an import control notice within the time specified (if any), or

- (b) an import control notice has been confirmed with or without modification under Regulation 29 (4) and the notice has not been complied with,

an authorised officer may at any time seize the animal or animal product to which the compliance notice relates, or seize the vessel, vehicle, equipment, machinery or other thing used in connection with the animal or animal product.

(2) If the animal or animal product to which an import control notice relates or a vessel, vehicle, equipment, machinery or other thing used in connection with the animal or animal product is seized in accordance with paragraph (1), an authorised officer may—

- (a) sell, destroy or dispose of the animal or animal product or cause it to be sold, destroyed or be disposed of, or

- (b) take such other measures in relation to the animal or animal product, or in relation to the vessel, vehicle, equipment, machinery or other thing used in connection with the animal or animal product as the authorised officer considers appropriate in the circumstances.

(3) Any profits arising out of the sale, destruction or disposal of an animal or animal product in accordance with paragraph (2) shall be paid to the owner of the animal or animal product less any costs (including ancillary costs) incurred in connection with the seizure, sale, destruction or disposal.

(4) Notwithstanding paragraph (3), the costs (including ancillary costs) of a measure taken under this Regulation are recoverable by the Minister as a simple contract debt in a court of competent jurisdiction from—

- (a) the owner of the animal or animal product,
- (b) the person in possession or control of the animal or animal product,
- (c) the importer of the animal or animal product,
- (d) the consignee, consignor of the animal or animal product,
- (e) the owner or person having possession or control of means of transport at the time the measure was carried out,
- (f) a person acting as the servant or agent of a person mentioned in this paragraph, or

any or all of them.

(5) The costs of any action required by an import control notice shall be borne by the owner of land, an animal, animal product or other thing to which the notice relates.

### **Service of import control notice**

31. (1) An import control notice shall, subject to paragraph (2), be addressed to the person concerned by name and may be served on or given to the person—

- (a) by giving it to the person, his or her employee, servant or agent,
- (b) by leaving it at the address at which the person ordinarily resides, normally carries out business, or, if an address for service has been furnished, at that address,
- (c) by sending it by post in a prepaid registered letter to the address at which the person ordinarily resides or, if an address for service has been furnished, at that address,
- (d) by delivering the import control notice to the land to which it relates or by affixing it in a conspicuous position on or near the land,
- (e) by sending it by means of electronic mail to a device or facility for the reception of electronic mail where such an electronic mail address has been furnished by the person, but only if the sender's

facility for the reception of electronic mail generates a message confirming a receipt of the electronic mail confirming successful transmission of the import control notice.

(2) If an import control notice is to be served on or given to a person who is the owner or occupier of land and the name of the person cannot be ascertained by reasonable enquiry, it may be addressed to the person by using the term “the owner/occupier”, or “the person having possession” or a similar designation.

(3) A person shall not, at any time within 6 months after an import control notice is affixed under paragraph (1) (d), remove, damage or deface the import control notice without lawful authority.

(4) For the purposes of this Regulation, a company within the meaning of the Companies Act 2014 is considered to be ordinarily resident at its registered office and every other body corporate or unincorporated body is considered to be ordinarily resident at its principal office or place of business.

## **Part 7**

### **Offences and Penalties**

#### **Offences and penalties**

32. (1) A person who contravenes Regulation 21 (1) or 10, 22 (1) or 11, 23 (1) or 11, 25 (1) or 28 (5) commits an offence.

(2) A person who commits an offence under Regulation 10 (1), 13 (4), 17, 21 (10), 22 (11), 23 (11) or 31 (3) is liable on summary conviction to a class A fine.

(3) A person who commits an offence under these Regulations, other than an offence to which paragraph (2) refers, under these Regulations is liable—

- (a) on summary conviction, to a class A fine or to a term of imprisonment not exceeding 6 months, or to both, or
- (b) on conviction on indictment to a fine not exceeding €500,000, or to imprisonment for a term not exceeding three years, or to both.

(4) An offence under these Regulations may be prosecuted in a summary manner by the Minister.

#### **Offence by body corporate**

33. (1) If an offence under these Regulations is committed by a body corporate and is proven to have been so committed with the consent, connivance or approval of or to have been attributable to the wilful neglect on the part of any person, being a director, manager, secretary or other officer of the body corporate or a person who was purported to act in any such capacity, that person, as well as the body corporate, commits an offence and is liable to be proceeded against and punished as if he or she was guilty of the offence.

(2) If the affairs of a body corporate are managed by its members, paragraph (1) applies in relation to the acts and defaults of a member in connection with



the functions of management as if the member were a director or manager of the body corporate.

### **Fixed payment notice**

34. (1) If an officer of the Minister, authorised by the Minister in that behalf, has reasonable grounds for suspecting that a person is committing or has committed a summary offence under these Regulations, he or she may serve a notice in writing (“fixed payment notice”) on that person stating that—

- (a) the person is alleged to have committed the offence,
- (b) the person may during the period of 28 days beginning on the date of the notice make to the Minister, at the address specified in the notice, a payment of €250 accompanied by the notice,
- (c) the person is not obliged to make the payment, and
- (d) a prosecution in respect of the alleged offence will not be instituted during the period specified in the notice and, if the payment specified in the notice is made during that period, no prosecution in respect of the alleged offence will be instituted.

(2) Where a fixed payment notice is served under paragraph (1)—

- (a) the person to whom the notice applies may, during the period specified in the notice, make to the Minister, at the address specified in the notice, the payment specified in the notice accompanied by the notice,
- (b) the Minister may receive the payment, issue a receipt for it and retain the money so paid, and any payment so received shall not be recoverable in any circumstances by the person who made it, and
- (c) a prosecution in respect of the alleged offence shall not be instituted in the period specified in the notice, and if the payment so specified is made during that period, no prosecution in respect of the alleged offence shall be instituted.

(3) In proceedings for an offence under these Regulations, the onus of proving that a payment pursuant to a notice under this Regulation has been made lies on the person on whom the fixed payment notice was served.

(4) In proceedings for an offence referred to in paragraph (1) it is a defence for the accused to show that he or she has made a payment in accordance with this Regulation pursuant to a fixed payment notice issued in respect of that offence.

### **Evidence on certificate, etc.**

35. (1) In proceedings for an offence under these Regulations, a certificate purported to be signed by a person employed at a laboratory where a sample taken under these Regulations is analysed stating the capacity in which the person is employed and stating that the person—

- (a) received a sample,

- (b) had the sample in his or her possession for the period specified in the certificate,
- (c) gave the sample to another person named in the certificate, or
- (d) carried out a procedure in a manner specified in the certificate for the purpose of detecting in the sample a substance or contamination, or stating that the sample contained a substance or was contaminated,

is, without proof of the signature of the person or that he or she is employed at the laboratory, evidence, unless the contrary is proved, of the matters stated in the certificate.

(2) A certificate purporting to be signed by an officer of the Minister and to certify that on a specific day or days or during the whole of a specified period—

- (a) a person was or was not the holder of an approval granted under Regulation 21, or a licence granted under Regulation 22 or 23,
- (b) a warehouse was or was not approved under Regulation 21, or
- (c) that a particular approval or licence, referred to in this paragraph, was subject to a particular condition or conditions,

is, without proof of the signature of the person purporting to sign the certificate or that he or she is an officer of the Minister, evidence, unless the contrary is shown, of the matters stated in the certificate.

(3) In proceedings for an offence under these Regulations the court may, if it considers that the interests of justice so require, direct that oral evidence of any matter stated in a certificate under paragraph (1) or (2) be given, and the court may for the purpose of receiving oral evidence adjourn the matter.

## **Part 8**

### **Final and miscellaneous provisions**

#### **Fees and charges**

36. (1) A person—

- (a) who imports an animal or animal product shall pay to the Minister the fee or charge set down in Annex IV to the European Regulation in respect of that animal or animal product, or
- (b) on application for an approval or licence under Part 5 pay such fee as may be set by the Minister.

(2) A fee or charge referred to in paragraph (1) may be recovered from the person by whom it is payable by the Minister as a simple contract debt in a court of competent jurisdiction from—

- (a) the owner of the animal or animal product,
- (b) the person in possession or control of the animal or animal product,
- (c) the importer of the animal or animal product,
- (d) the consignee, consignor of the animal or animal product,

- (e) the owner or person having possession or control of means of transport at the time the measure was carried out,
  - (f) a person acting as the servant or agent of a person mentioned in this paragraph, or
- any or all of them.

(3) Monies received by the Minister under this Regulation shall be paid into or disposed of for the benefit of the Exchequer in accordance with the directions of the Minister for Public Expenditure and Reform.

(4) Where a person fails to pay a fee or charge to which paragraph (1) relates, an authorised officer—

- (a) may refuse entry into the State of any further animal or product, or
- (b) if the fee or charge remains unpaid for a period in excess of 60 days, shall refuse entry into the State of any further animal or product,

being imported by or on behalf of that person either directly or through the agency of another party.

#### **Additional fees and charges**

37. (1) The Minister shall fix fees and charges to cover the costs, estimated by the Minister, incurred or likely to be incurred in the exercise of a function mentioned in 79 (2) of the European Regulation or referred to in Article 7 of Commission Implementing Regulation 2019/1873 of 7 November 2019.

(2) A fee or charge referred to in paragraph (1) is recoverable by the Minister as a simple contract debt in a court of competent jurisdiction from—

- (a) the owner of the animal or animal product,
- (b) the person in possession or control of the animal or animal product,
- (c) the importer of the animal or animal product,
- (d) the consignee, consignor of the animal or animal product,
- (e) the owner or person having possession or control of means of transport at the time the measure was carried out,
- (f) a person acting as the servant or agent of a person mentioned in this paragraph, or

any or all of them.

(3) Where a person fails to pay a fee or charge to which paragraph (1) relates, an authorised officer—

- (a) may refuse entry into the State of any further animal or product, or

- (b) if the fee or charge remains unpaid for a period in excess of 60 days, shall refuse entry into the State of any further animal or product,

being imported by or on behalf of that person either directly or through the agency of another party.

### **Data Sharing**

38. Without prejudice to any other power to do so, information, including personal data (within the meaning of Article 4 of Regulation (EU) 2016/269 of the European Parliament and of the Council of 27 April 2016 and section 69 of the Data Protection Act 2018) held by the Minister or another person for the purposes of an act of the institutions of the European Union cited in Schedule 1 may be exchanged with other persons (whether within the State or otherwise) for the purposes of that act.

### **Revocations**

39. The following are revoked:

- (a) the European Communities (Importation of Animals and Animal Products from Third Countries) Regulations 1994,
- (b) the European Communities (Veterinary Checks on Products Imported From Third Countries) Regulations 2000,
- (c) the European Communities (Veterinary Checks on Fish and Fishery Products Imported from Third Countries) Regulations 2003,
- (d) the European Communities (Imports of Personal Consignments of Animal Products) Regulations 2012, and
- (e) Regulations 6, 11 and 36 of the European Union (Animal Health) (Adaptation and Miscellaneous Amendments) Regulations 2019.

## Schedule 1

### *Preamble*

#### **Acts of the Institutions of the European Union**

1. Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017<sup>1</sup> as amended by Commission Delegated Regulation (EU) 2019/478 of 14 January 2019<sup>2</sup> and Commission Delegated Regulation (EU) 2019/2127 of 10 October 2019 (until 20 April 2021)<sup>3</sup>;
2. Commission Implementing Regulation (EU) 2019/626 of 5 March 2019<sup>4</sup>;
3. Commission Implementing Regulation (EU) 2019/ 628 of 6 April 2019<sup>5</sup>;
4. Commission Implementing Regulation (EU) 2019/1013 of 16 April 2019<sup>6</sup>;
5. Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019<sup>7</sup>;
6. Commission Implementing Regulation (EU) 2019/1873 of 7 November 2019<sup>8</sup>;
7. Commission Implementing Regulation (EU) 2019/2128 of 12 November 2019<sup>9</sup>;
8. Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019<sup>10</sup>;
9. Commission Implementing Regulation (EU) 2019/2130 of 25 November 2019<sup>11</sup>;
10. Commission Implementing Decision (EU) 2019/2098 of 28 November 2019<sup>12</sup>;
11. Commission Implementing Regulation (EU) 2019/1981 of 28 November 2019<sup>13</sup>;
12. Commission Delegated Regulation (EU) 2019/625 of 4 March 2019<sup>14</sup>;

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<sup>1</sup> O.J. L 95 of 7 April 2017, 1; <http://data.europa.eu/eli/reg/2017/625/oj>. The Corrigendum is O.J. L 137 of 24 May 2017, 40; <http://data.europa.eu/eli/reg/2017/625/corrigendum/2017-05-24/oJ>

<sup>2</sup> O.J. L 82 25 March 2019, 4; [http://data.europa.eu/eli/reg\\_del/2019/478/oj](http://data.europa.eu/eli/reg_del/2019/478/oj)

<sup>3</sup> O.J. L 321 of 12 December 2019, 111; [http://data.europa.eu/eli/reg\\_del/2019/2127/oj](http://data.europa.eu/eli/reg_del/2019/2127/oj)

<sup>4</sup> O.J. L 131 of 17 May 2019, 31; [http://data.europa.eu/eli/reg\\_impl/2019/626/oj](http://data.europa.eu/eli/reg_impl/2019/626/oj)

<sup>5</sup> O.J. L 131 of 17 May 2019, 101; [http://data.europa.eu/eli/reg\\_impl/2019/628/oj](http://data.europa.eu/eli/reg_impl/2019/628/oj)

<sup>6</sup> O.J. L 165 of 21 June 2019, 8; [http://data.europa.eu/eli/reg\\_impl/2019/1013/oj](http://data.europa.eu/eli/reg_impl/2019/1013/oj)

<sup>7</sup> O.J. L 261 of 14 October 2019, 37; [http://data.europa.eu/eli/reg\\_impl/2019/1715/oj](http://data.europa.eu/eli/reg_impl/2019/1715/oj)

<sup>8</sup> O.J. L 289 of 8 November 2019, 50; [http://data.europa.eu/eli/reg\\_impl/2019/1873/oj](http://data.europa.eu/eli/reg_impl/2019/1873/oj)

<sup>9</sup> O.J. L 321 of 12 December 2019, 114; [http://data.europa.eu/eli/reg\\_impl/2019/2128/oj](http://data.europa.eu/eli/reg_impl/2019/2128/oj)

<sup>10</sup> O.J. L 312 of 3 December 2019, 1; [http://data.europa.eu/eli/reg\\_impl/2019/2007/oj](http://data.europa.eu/eli/reg_impl/2019/2007/oj)

<sup>11</sup> O.J. L 321 of 12 December 2019, 128; [http://data.europa.eu/eli/reg\\_impl/2019/2130/oj](http://data.europa.eu/eli/reg_impl/2019/2130/oj)

<sup>12</sup> O.J. L 317 of 9 December 2019, 111; [http://data.europa.eu/eli/dec\\_impl/2019/2098/oj](http://data.europa.eu/eli/dec_impl/2019/2098/oj)

<sup>13</sup> O.J. L 308 of 29 November 2019, 72; [http://data.europa.eu/eli/reg\\_impl/2019/1981/oj](http://data.europa.eu/eli/reg_impl/2019/1981/oj)

<sup>14</sup> O.J. L 131 of 17 May 2019, 18; [http://data.europa.eu/eli/reg\\_del/2019/625/oj](http://data.europa.eu/eli/reg_del/2019/625/oj)

13. Commission Delegated Regulation (EU) 2019/1081 of 8 March 2019<sup>15</sup>;
14. Commission Delegated Regulation (EU) 2019/1012 of 12 March 2019<sup>16</sup>;
15. Commission Delegated Regulation (EU) 2019/1602 of 23 April 2019<sup>17</sup>;
16. Commission Delegated Regulation (EU) 2019/1014 of 12 June 2019<sup>18</sup>;
17. Commission Delegated Regulation (EU) 2019/1666 of 24 June 2019<sup>19</sup>;
18. Commission Delegated Regulation (EU) 2019/2074 of 23 September 2019<sup>20</sup>;
19. Commission Delegated Regulation (EU) 2019/2122 of 10 October 2019<sup>21</sup>;
20. Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019<sup>22</sup>;
21. Commission Delegated Regulation (EU) 2019/2126 of 10 October 2019<sup>23</sup>;
22. Commission Delegated Regulation (EU) 2019/2129 of 25 November 2019<sup>24</sup>.

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<sup>15</sup> O.J. L 171 of 26 June 2019, 1; [http://data.europa.eu/eli/reg\\_del/2019/1081/oj](http://data.europa.eu/eli/reg_del/2019/1081/oj)

<sup>16</sup> O.J. L 165 of 21 June 2019, 4; [http://data.europa.eu/eli/reg\\_del/2019/1012/oj](http://data.europa.eu/eli/reg_del/2019/1012/oj)

<sup>17</sup> O.J. L 250 of 30 September 2019, 6 [http://data.europa.eu/eli/reg\\_del/2019/1602/oj](http://data.europa.eu/eli/reg_del/2019/1602/oj)

<sup>18</sup> O.J. L 165 of 21 June 2019, 10; [http://data.europa.eu/eli/reg\\_impl/2019/1014/oj](http://data.europa.eu/eli/reg_impl/2019/1014/oj)

<sup>19</sup> O.J. L 255 of 4 October 2019, 1; [http://data.europa.eu/eli/reg\\_del/2019/1666/oj](http://data.europa.eu/eli/reg_del/2019/1666/oj)

<sup>20</sup> O.J. L 316 of 6 December 2019, 6 [http://data.europa.eu/eli/reg\\_del/2019/2074/oj](http://data.europa.eu/eli/reg_del/2019/2074/oj)

<sup>21</sup> O.J. L 321 of 12 December 2019, 122; [http://data.europa.eu/eli/reg\\_del/2019/2122/oj](http://data.europa.eu/eli/reg_del/2019/2122/oj)

<sup>22</sup> O.J. L 321 of 12 December 2019, 73; [http://data.europa.eu/eli/reg\\_del/2019/2124/oj](http://data.europa.eu/eli/reg_del/2019/2124/oj)

<sup>23</sup> O.J. L 321 of 12 December 2019, 64; [http://data.europa.eu/eli/reg\\_del/2019/2126/oj](http://data.europa.eu/eli/reg_del/2019/2126/oj)

<sup>24</sup> O.J. L 321 of 12 December 2019, 122; [http://data.europa.eu/eli/reg\\_impl/2019/2129/oj](http://data.europa.eu/eli/reg_impl/2019/2129/oj)

**Schedule 2***Regulation 3***Border Control Posts**

<i>No (1)</i>	<i>Border Control Post (2)</i>	<i>Categories of animals and product (3)</i>
1	Dublin Port	<p>Until 1 January 2021, animal products (excluding unpacked animal products for human consumption).</p> <p>From 1 January 2021, animals (other than bovine, ovine, caprine and porcine animals).</p> <p>From 1 January 2021, all animal products.</p>
2	Dublin Airport	<p>Until 1 January 2021, live fish, porcine animals and registered equidae.</p> <p>From 1 January 2021, animals including porcine animal and equidae, except other ungulates.</p> <p>From 1 January 2021, animal products (packed products only).</p>
3	Shannon Airport	<p>Until 1 January 2021, registered equidae.</p> <p>From 1 January 2021, all equidae.</p> <p>Animal products (packed products only).</p>
4	Rosslare EuroPort (from 1 January 2021)	<p>All animals.</p> <p>Animal products</p>

**Schedule 3***Regulation 4***National Reference Laboratories**

1	The State Laboratory, Young's Cross, Celbridge, Co. Kildare W23 VW2C
2	Department of Agriculture, Food & the Marine Laboratories, Backweston Campus, Celbridge, Co. Kildare W23 X3PH
6	The Marine Institute, Renville, Oranmore, Co. Galway H91 R673
7	Public Analyst's Laboratory, Sir Patrick Dun's, Lower Grand Canal Street, Dublin D02 P667
8	Public Analyst's Laboratory, Cork, St. Finbarr's Hospital, Douglas Road, Cork T12 XH60
9	Food Safety Department, Teagasc Food Research Centre, Ashtown, Dublin D15 DY05



**Schedule 4***Regulation 5***Official laboratories**

1	The State Laboratory, Young's Cross, Celbridge, Co. Kildare W23 VW2C
2	Department of Agriculture, Food & the Marine Laboratories, Backweston Campus, Celbridge, Co. Kildare W23 X3PH
6	The Marine Institute, Renville, Oranmore, Co. Galway H91 R673
7	Public Analyst's Laboratory, Sir Patrick Dun's, Lower Grand Canal Street, Dublin D02 P667
8	Public Analyst's Laboratory, Cork, St. Finbarr's Hospital, Douglas Road, Cork T12 XH60
9	Public Analyst's Laboratory, Galway, Seamus Quirke Road, University Hospital, Galway H91 Y952
10	Public Health Laboratory, HSE – West, Ballycummin Avenue, Raheen Business Park, Limerick V94 H9YE
11	Food Safety Department, Teagasc Food Research Centre, Ashtown, Dublin D15 DY05
12	Irish Equine Centre, Johnstown, Naas, Co. Kildare W91 RH93

## Schedule 5

Regulation 19

## Additional safeguard measures

Reference number (1)	Country (2)	Act of the institutions of the European Union (3)
1	Albania	Commission Decision 2007/642/EC of 4 October 2007 (O.J. L 260 of 5 October 2007, 21).
2	Albania	Commission Decision 2004/225/EC of 2 March 2004 (O.J. L 68 of 6 March 2004, 34).
3	Republic of Guinea	Commission Decision 2007/82/EC of 2 February 2007 (O.J. L 28 of 3 February 2007, 25).
4	Turkey	Commission Implementing Regulation (EU) 743/2013 of 31 July 2013 (O.J. L 205 of 1 August 2013, 1), (as amended by Commission Implementing Regulation (EU) No 840/2014 of 1 August 2014 (O.J. L 231 of 2 August 2014, 3), Commission Implementing Regulation (EU) 2017/129 of 25 January 2017 (O.J. L 21 of 26 January 2017, 99) and Commission Implementing Regulation (EU) 2017/2369 of 18 December 2017 (O.J. L 337 of 19 December 2017, 26)).
5	China	Commission Decision 2002/994/EC of 20 December 2002 (O.J. L 348 of 21 December 2002, 154), (as amended by Commission Decision 2004/621/EC of 26 August 2004 (O.J. L 279 of 28 August 2004, 44), Commission Decision 2005/573/EC of 22 July 2005 (O.J. L 193 of 23 July 2005, 41), Commission Decision 2008/463/EC of 17 June 2008 (O.J. L 160 of 19 June 2008, 34), Commission Decision 2008/639/EC of 30 July 2008 (O.J. L 207 of 5 August 2008, 30), Commission Decision 2009/799/EC of 29 October 2009 (O.J. L 285 of 31 October 2009, 42), Commission Implementing Decision 2012/482/EU of 20 August 2012 (O.J. L 226 of 22 August 2012, 5) and Commission Implementing Decision (EU) 2015/1068 of 1 July 2015 (O.J. L 174, of 3 July 2015, 30)).
6	India	Commission Decision 2010/381/EU of 8 July 2010 (O.J. L 174, of 9 July 2010, 51), (as amended by

		Commission Implementing Decision 2012/690/EU of 6 November 2012 (O.J. L 308, of 8 November 2012, 21) and Commission Implementing Decision (EU) 2016/1774 of 4 October 2016 (O.J. L 271 of 6 October 2016, 7)).
7	Mexico	Commission Decision 2006/27/EC of 16 January 2006 (O.J. L 19 of 24 January 2006, 30).
8	Ukraine	Commission Decision 2002/805/EC of 15 October 2002 (O.J. L 278 of 16 October 2002, 24).
9	Japan	Commission Implementing Regulation (EU) 2016/6 of 5 January 2016 (O.J. L 3 of 6 January 2016, 5), (as amended by Commission Implementing Regulation (EU) 2017/2058 of 10 November 2017 (O.J. L 294 of 11 November 2017, 29) and Commission Implementing Regulation (EU) 2019/1787 of 24 October 2019 (O.J. L 272 of 25 October 2019, 140)).



GIVEN under my Official Seal,  
17 December, 2020.

CHARLIE MCCONALOGUE,  
Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE

*(This note is not part of the instrument and does not purport to be a legal interpretation.)*

These Regulations give effect to a number of European Union Regulations insofar as they relate to imports of animals and animal products from third countries.

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