

DECLARATION OF SPECIAL MEASURES: Personal imports of caprine and ovine products from certain third countries

THE TRADE IN ANIMALS AND RELATED PRODUCTS REGULATIONS 2011 (SI 2011/1197)

The Secretary of State for Environment, Food and Rural Affairs has reasonable grounds for suspecting the existence of Peste des Petits Ruminants in Romania and Greece, such that certain animal products originating from territories subject to special transitional import arrangements are liable to pose a risk to animal health.

Under regulation 29(1) of the Trade in Animals and Related Products Regulations 2011¹, the Secretary of State for Environment, Food and Rural Affairs declares the following special measures to be necessary in England in order to contain the risk to animal health.

Suspension of entry into England

1. Subject to paragraph 2, entry into England is suspended for milk, dairy products, colostrum and colostrum-based products from caprine and ovine animals, originating from a territory subject to special transitional import arrangements where the product is intended for personal consumption or use.
2. The restrictions in paragraph 1 do not apply where the milk, dairy products, colostrum and colostrum-based products from caprine and ovine animals originates from a territory subject to special transitional import arrangements other than Greece and Romania, and if –
 - a. they are a product of animal origin intended for human consumption, if it bears a health mark or an identification mark; or
 - b. they are an animal by-product or a derived product, if it –
 - i. is packaged in accordance with Article 23(1) of Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed², as it has effect in EU law, and includes on the package the name and address of the feed business operator responsible for its labelling under Article 12(2) of that Regulation; or
 - ii. has a label attached to the packaging, container or vehicle, describing the product and stating to which category of animal by-products it belongs.
3. Subject to paragraph 4, entry into England is also suspended for caprine and ovine products, not already covered by paragraph 1, originating from a territory subject to special transitional import arrangements where the product is intended for personal consumption or use.
4. The restrictions in paragraph 3 do not apply where the product originates from a territory subject to special transitional import arrangements, and if the caprine or ovine product is –

¹ S.I. 2011/1197. Regulation 29 was amended by S.I. 2019/1488 and S.I. 2020/1462.

² O.J. No. L 229, 1.9.2009, p. 1, as last amended by Commission Regulation (EU) 2018/1903 (O.J. No. L. 310, 6.12.2018, p. 22).

- a. a product of animal origin intended for human consumption, if it bears a health mark or an identification mark; or
- b. an animal by-product or a derived product, if it –
 - i. is packaged in accordance with Article 23(1) of Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed³, as it has effect in EU law, and includes on the package the name and address of the feed business operator responsible for its labelling under Article 12(2) of that Regulation; or
 - ii. has a label attached to the packaging, container or vehicle, describing the product and stating to which category of animal by-products it belongs.

Continued application of other requirements

- 5. The conditions of entry in paragraphs 2 and 4 are in addition to any other requirements that apply in relation to those products.

Interpretation

- 6. In this declaration–
 - a. “animal by-products” means entire bodies or parts of animals, products of animal origin or other products obtained from animals, which are not intended for human consumption, excluding germinal products;
 - b. “caprine products” means any of the following, consisting, in whole or in part, of a body of a goat, or derived from a goat—
 - i. products of animal origin;
 - ii. animal by-products;
 - iii. derived products.
 - c. “category of animal by-products” means the appropriate category as set out in Articles 8 to 10 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption⁴, as it has effect in EU law;
 - d. “colostrum” has the meaning given in Section IX of Annex 3 to Regulation 853/2004;
 - e. “colostrum-based products” has the meaning given in Section IX of Annex 3 to Regulation 853/2004;
 - f. “dairy products” has the meaning given in point 7.2 of Annex 1 to Regulation 853/2004.
 - g. “derived products” means products obtained from one or more treatments, transformations or steps in the processing of animal by-products;
 - h. “health mark” has the meaning given in Article 3(51) of the Regulation (EU) No 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed

³ O.J. No. L 229, 1.9.2009, p. 1, as last amended by Commission Regulation (EU) 2018/1903 (O.J. No. L 310, 6.12.2018, p. 22).

⁴ O.J. No. L 300, 14.11.2009, p. 1, as last amended by Regulation (EU) 2019/1009 of the European Parliament and of the Council (O.J. No. L 170, 25.6.2019, p. 1).

- law, rules on animal health and welfare, plant health and plant protection products⁵, as it has effect in EU law;
- i. “identification mark” means a mark applied in accordance with Article 5 of, and Section 1 of Annex 2 to, Regulation 853/2004, as it has effect in EU law;
 - j. “ovine products” means any of the following, consisting, in whole or in part, of a body of a sheep, or derived from a sheep—
 - i. products of animal origin;
 - ii. animal by-products;
 - iii. derived products;
 - k. “milk” includes –
 - i. “raw milk” has the meaning given in point 4.1 of Annex 1 to Regulation 853/2004; and
 - ii. raw milk which has undergone the treatment specified in Article 3 or 4 of Commission Regulation (EU) No 605/2010 of 2 July 2010 laying down animal and public health and veterinary certification conditions for the introduction into the European Union of raw milk and dairy products intended for human consumption⁶;
 - l. “products of animal origin” has the meaning given in point 8.1 of Annex 1 to Regulation 853/2004;
 - m. “Regulation 853/2004” means Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin,⁷ as it has effect in EU law;
 - n. “territory subject to special transitional import arrangements” means—
 - i. an EEA state;
 - ii. the Faroe Islands;
 - iii. Greenland;
 - iv. Switzerland.

Duration of special measures

5. The special measures in the Declaration apply from the beginning of the day after the day on which this Declaration is made until this Declaration is revoked or amended by further declaration.

Date made: 20 August 2024

Signed:

Dr Balazs Toth, Lead Assessor, UK Office for SPS Trade Assurance

A person duly authorised by the Secretary of State for Environment, Food and Rural Affairs

⁵ O.J. No. L 95, 7.4.2017, p. 1, as last amended by Regulation (EU) 2021/1756 of the European Parliament and of the Council (O.J. No. L 357, 8.10.2021, p. 27).

⁶ EUR 605/2010.

⁷ O.J. No. L 139, 30.4.2004, p. 55, as last amended by Commission Delegated Regulation (EU) 2024/1141 (O.J. No. L, 2024/1141, 19.4.2024).

Import of animals or products in breach of this declaration is an offence under regulation 39 of the Trade in Animals and Related Products Regulations 2011.