

**DECLARATION OF SPECIAL MEASURES: AFRICAN SWINE FEVER
IMPORTS OF PORCINE PRODUCTS FROM EEA STATES, THE FAROE ISLANDS,
GREENLAND AND SWITZERLAND
THE TRADE IN ANIMALS AND RELATED PRODUCTS (SCOTLAND) REGULATIONS
2012**

The Scottish Ministers have reasonable grounds for suspecting the existence of African Swine Fever in territories subject to special transitional import arrangements, such that animals or products originating from territories subject to special transitional arrangements are liable to pose risk to animal health.

Under regulation 25(1) of the Trade in Animals and Related Products (Scotland) Regulations 2012⁽¹⁾, Scottish Ministers declare the following necessary special measures in order to contain the risk to animal health:

Imposition of conditions on porcine products

1. – (1) The exemption from official controls at border control posts for entry into Scotland of porcine products originating in a territory subject to special transitional import arrangements permitted for import into Scotland as:

- (a) part of passengers' personal luggage and intended for personal consumption or use, or
- (b) part of a small consignment sent to natural persons, which are not intended to be placed on the market,

is suspended, unless the porcine products are of a category and meet the conditions specified in paragraph 2.

(2) Accordingly, such products may only enter Scotland as products subject to official controls at border control posts in accordance with Part 3 of the Trade in Animals and Related Products (Scotland) Regulations 2012 (subject to the derogations and modifications set out in schedule 5 of those Regulations and as if paragraph 1 of schedule 3 of those Regulations did not apply)⁽²⁾, including being accompanied by the appropriate health certificate or relevant commercial documents required by those Regulations for the products concerned, and subject to any other requirements that apply in relation to the import of those products.

Porcine products remaining exempt from official controls

2. Porcine products remain exempt from official controls at border control posts as part of passengers' personal luggage where intended for personal consumption or use, or as part of a small consignment sent to natural persons which are not intended to be placed on the market, provided that they belong to either of the following categories:

(1) [S.S.I. 2012/177](#). Regulations 25 was substituted by S.S.I. 2019/412 and amended by S.S.I. 2020/458.

(2) Part 3 was amended by S.S.I. 2018/391, S.S.I. 2019/412, S.S.I. 2020/455, S.S.I. 2020/458, S.I. 2022/1322 and S.S.I. 2023/374. Schedule 5 was inserted by S.S.I. 2020/458 and amended by S.I. 2021/342, S.I. 2021/493, S.I. 2024/20 and S.I. 2024/541.

- (a) goods listed, and meeting the conditions, in Part 1 (powdered infant milk, infant food, special foods required for medical reasons and petfood required for health related reasons) of Annex 1 to Commission Delegated Regulation (EU) No. 2019/2122 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of animals and goods exempted from official controls at border control posts, specific controls on passengers' personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the market⁽³⁾, provided that their combined quantity does not exceed the weight limit of 2 kg,
- (b) porcine products other than those described in sub-paragraph (a) which:
- (i) if they are products of animal origin intended for human consumption, bear a health mark or an identification mark,
- (ii) if they are products derived from animal by-products:
- (aa) are 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 feed, as it has effect in EU law, and include on the package the name and address of the feed business operator responsible for its labelling under Article 12(2) of that Regulation, or
- (bb) have a label attached to the packaging, container or vehicle, describing the product and stating to which category of animal by-products it belongs,
- provided that their combined quantity does exceed the weight limit of 2 kg.

Interpretation

3. 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,
- (b) "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 consumption⁽⁴⁾, as it has effect in EU law,
- (c) "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 law, rules on animal health and welfare, plant health and plant protection products⁽⁵⁾, as it has effect in EU law,
- (d) "identification mark" means a mark applied in accordance with Article 5 of, and Section 1 of Annex II to, Regulation 853/2004, as it has effect in EU law,

⁽³⁾ [EUR 2019/2122](#).

⁽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).

⁽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)

- (e) “porcine products” means either of the following, consisting in whole or in part, of a body of a pig, or derived from a pig:
 - (i) products of animal origin,
 - (ii) products derived from animal by-products,
- (f) “products of animal origin” has the meaning given in point 8.1 of Annex 1 to Regulation 853/2004,
- (g) “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⁽⁶⁾ as it has effect in EU law,
- (h) “territory subject to special transitional import arrangements” means –
 - (i) an EEA state,
 - (ii) the Faroe Islands,
 - (iii) Greenland,
 - (iv) Switzerland.

Duration of special measures

4. 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: 26 September 2024

Signed

Jesus Gallego
Deputy Chief Veterinary Officer (Scotland)

A member of staff of the Scottish Ministers

Import of a product in breach of this declaration is an offence under regulation 33 of the Trade in Animals and Related Products (Scotland) Regulations 2012.

⁽⁶⁾ O.J. No. L 139, 30.4.2004, p. 55, as last amended by Commission Delegated Regulation (EU) 2024/1141 (O.J. No. L 1141, 19.4.2024, p.1).