S.I. No. 45/1995 — European Communities (Live Poultry and Hatching Eggs) (Amendment) Regulations, 1995.

S.I. No. 45/1995:

EUROPEAN COMMUNITIES (LIVE POULTRY AND HATCHING EGGS) (AMENDMENT) REGULATIONS, 1995.

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I, IVAN YATES, Minister for Agriculture, Food and Forestry, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 , (No. 27 of 1972) and for the purpose of giving effect to Council Directive No. 93/120/EEC[(1)] of 22 December 1993, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Live Poultry and Hatching Eggs) (Amendment) Regulations, 1995.

(2) These Regulations shall come into operation on the first day of March, 1995.

(3) The European Communities (Live Poultry and Hatching Eggs) Regulations, 1992, and these Regulations may be cited together as the European Communities (Live Poultry and Hatching Eggs) Regulations, 1992 and 1995.

2. The European Communities (Live Poultry and Hatching Eggs) Regulations, 1992 (S.I. No. 362 of 1992) are hereby amended by the substitution—

(*a*) in Regulation 3 (1) for the definition of "the Council Directive" of the following:

"the Council Directive" means Council Directive No. 90/539/EEC of 15 October 1990, as last amended by Council Directive No. 93/120/EEC[(2)] of 22 December 1993;";

(*b*) for Regulation 4 of the following:

"4. (1) A person shall not export poultry or hatching eggs unless they—

(*a*) come from establishments which—

(1) O.J. No. L340 of 31.12.1993, p. 35.

(2) O.J. No. L340 of 31.12.1993, p. 35.

(i) have been approved by the Minister in accordance with Regulation 5 and such approval has not been suspended under Regulation 6 or is not for the time being revoked under Regulation 7, and

(ii) otherwise comply with the provisions of the Council Directive;

(*b*) (i) in the case of hatching eggs, day-old chicks, breeding poultry and productive poultry, comply with the provisions of Articles 6, 12, 15 and 17 of the Council Directive, and

(ii) (I) in the case of hatching eggs, comply with the provisions of Article 7 of the Council Directive,

(II) in the case of day-old chicks, comply with the provisions of Article 8 of the Council Directive,

(III) in the case of breeding poultry or productive poultry, comply with the provisions of Article 9 of the Directive;

(*c*) in the case of slaughter poultry, comply with the provisions of Articles 10, 12, 15 and 17 of the Council Directive;

(*d*) in the case of poultry (including day-old chicks) intended for restocking supplies of game, comply with the provisions of Articles 10*a*, 12, 15 and 17 of the Council Directive;

(*e*) where the Member State of destination requires for the time being additional guarantees in accordance with Articles 13 or 14 of the Council Directive, comply with the terms of such additional guarantees.

(2) Notwithstanding the provisions of paragraph (1), a person shall not export poultry or hatching eggs comprising fewer than 20 units unless they—

(*a*) comply with the provisions of Articles 11, 12 and 17 of the Council Directive;

(*b*) where the Member State of destination requires for the time being additional guarantees in accordance with Articles 13 or 14 of the Council Directive, comply with the terms of such additional guarantees.".

3. The European Communities (Trade in Animals and Animal Products) Regulations, 1994 (S.I. No. 289 of 1994) are hereby amended by the substitution in the Schedule to the Regulations for entry no. 13 of the following:

"13. Council Directive No. 90/539/EEC[21] of 15 October 1990, as amended by Council Directive No. 93/120/EEC[36] of 22 December 1993.".

GIVEN under my Official Seal, this 27th day of February, 1995.

IVAN YATES,

Minister for Agriculture, Food

and Forestry.

[21] O.J. No. L303 of 31.10.1990, p.6.

[36] O.J. No. L340 of 31.12.1993, p.35.

EXPLANATORY NOTE

These Regulations implement Council Directive 93/120/EEC of 22 December 1993 amending Council Directive 90/539/EEC on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs.

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