



STATUTORY INSTRUMENTS.

S.I. No. 210 of 2010

EUROPEAN COMMUNITIES (CLASSICAL SWINE FEVER)
(RESTRICTION ON IMPORTS FROM GERMANY) REGULATIONS
2010

(Prn. A10/0656)

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2010

I, BRENDAN SMITH, Minister for Agriculture, Fisheries and Food, 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 Commission Decision 2008/855/EC of 3 November 2008¹ as amended by Commission Decision 2009/254/EC of 20 March 2009², Commission Decision 2009/423/EC of 26 May 2009³, Commission Decision 2009/952/EU of 14 December 2009⁴ and Commission Decision 2010/211/EU of 7 April 2010⁵, hereby make the following regulations:

Citation

1. These regulations may be cited as the European Communities (Classical Swine Fever) (Restriction on imports from Germany) Regulations 2010.

Interpretation

2. (1) In these Regulations—

“authorised officer” means:

- (a) an officer authorised under section 17A (inserted by section 2 of the Diseases of Animals (Amendment) Act 2001 (No. 3 of 2001)) of the Diseases of Animals Act 1966 (No. 6 of 1966),
- (b) a member of the Garda Síochaná,
- (c) an officer of Customs and Excise, or
- (d) a person appointed under the European Communities (Agriculture, Fisheries and Food) (Compliance) Regulations 2009 (S.I. No. 424 of 2009);

“Commission Decision” means Commission Decision 2008/855/EC of 3 November 2008 as amended by Commission Decision 2009/254/EC of 20 March 2009, Commission Decision 2009/423/EC of 26 May 2009, Commission Decision 2009/952/EU of 14 December 2009 and Commission Decision 2010/211/EU of 7 April 2010;

“Minister” means Minister for Agriculture, Fisheries and Food;

¹ O.J. L302, 13.11.2008, p. 19

² O.J. L75, 21.3.2009, p. 22

³ O.J. L138, 4.6.2009, p. 5

⁴ O.J. L328, 15.12.2009, p. 76

⁵ O.J. L089, 9.4.2010, p. 25

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 18th May, 2010.*

“restricted area” means that part of the Community described in the Annex to the Commission Decision.

(2) A word or expression that is used in the Commission Decision and is also used in these Regulations has, in these Regulations, the same meaning as in the Commission Decision.

3. (1) A person shall not import from the restricted area—

- (a) a pig unless it complies with Articles 2, 6 and 7 of the Commission Decision,
- (b) boar semen unless it complies with Article 5(a) of the Commission Decision, or
- (c) the ovum or embryo of a pig unless it complies with Article 5(b) of the Commission Decision.

(2) A person shall not import a pig, semen, the ovum or embryo of a pig, fresh pig meat, a meat preparation or meat product derived from a pig from the restricted area.

(3) Paragraph (2) does not apply to a pig, meat preparation or meat product that complies with Article 7(2) of the Commission Decision.

4. A person shall not have in his or her possession or under his or her control, a pig, semen or the ovum or embryo of a pig or fresh pigmeat, a meat preparation or meat product, derived from a pig, sell or supply a pig, porcine semen or the ovum or embryo of swine, fresh pigmeat, a meat preparation or meat product derived from a pig that has been imported in contravention of Regulation 3.

5. The European Communities (Agriculture, Fisheries and Food) (Compliance) Regulations 2009 (S.I. No. 424 of 2009) apply to these regulations.

6. The European Communities (Classical Swine Fever) (Restriction on Imports) Regulations 2007 (S.I. No. 130 of 2007) are revoked.



GIVEN under my Official Seal,
13 May 2010.

BRENDAN SMITH,
Minister for Agriculture, Fisheries and Food.

EXPLANATORY NOTE

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

These regulations concern import restrictions of pigs and pig products due to the incidence of Classical Swine Fever in certain parts of Germany.

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