

STATUTORY INSTRUMENTS.

**S.I. No. 464 of 1999.**

**EUROPEAN COMMUNITIES (IMPORTATION OF  
BOVINE ANIMALS AND PRODUCTS OBTAINED FROM BOVINE ANIMALS  
FROM THE UNITED KINGDOM) REGULATIONS, 1999**

I, JOE WALSH, Minister for Agriculture, Food and Rural Development, 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 Decision 98/256/EC<sup>(1)</sup>, amending Decision 94/474/EC<sup>(2)</sup>, repealing Decision 96/239/EC<sup>(3)</sup> and having regard to Commission Decision 1999/514/EC<sup>(4)</sup>, hereby make the following Regulations:

<sup>(4)</sup> O.J. L. 195 28.7.1999 P42.

<sup>(3)</sup> O.J. L. 78 28.3.1996 P47.

<sup>(2)</sup> O.J. L. 194 29.7.1994 P96.

<sup>(1)</sup> O.J. L. 113 15.4.1998 P32.

1. These Regulations may be cited as the European Communities (Importation of Bovine Animals and Products obtained from Bovine Animals from the United Kingdom) Regulations, 1999.

2. (1) In these Regulations—

"authorised officer" has the meaning assigned to it by the European Communities (Trade in Animals and Animal Products) Regulations, 1994 (S.I. No. 289 of 1994);

"the Commission" means the Commission of the European Communities;

"the Council Decision" means Council Decision 98/256/EC of 16 March, 1998, on emergency measures to protect against bovine spongiform encephalopathy, amending Decision 94/474/EC and repealing Decision 96/239/EC;

"import" means the importation into the State;

"the Minister" means the Minister for Agriculture, Food and Rural Development.

(2) A word or expression that is used in these Regulations and is also used in the Council Decision has, unless the contrary intention appears, the meaning in these Regulations that it has in the Council Decision.

3. A person shall not import or attempt to import from the United Kingdom—

(a) live bovine animals;

(b) bovine embryos;

(c) meat meal, bone meal, and meat-and-bone meal of mammalian origin;

(d) animal feed and fertilisers containing material referred to in (c) except material for use as food destined for domestic carnivores containing material referred to in (c) provided that such material did not originate in the United Kingdom and that the food is produced, certified, labelled and exported from the United Kingdom in accordance with the provisions of the Council Decision;

(e) meat and meat products derived from bovine animals excepting meat and meat products produced, certified, labelled and exported from the United Kingdom in accordance with the provisions of the Council Decision;

(f) products and materials derived from slaughtered bovine animals which are liable to enter the human food or animal feed chains or are destined for use in cosmetics or medical or pharmaceutical products, excepting such products and materials produced, certified, labelled and exported in accordance with the provisions of the Council Decision.

4. (1) A person who contravenes a provision of these Regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £1,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance of or to be attributable to any neglect on the part of any person, being a director, secretary or other officer of the body corporate, or a person who was purporting to act in any such capacity, that person, as well as the body corporate, shall be guilty of an offence, and shall be liable to be proceeded against and punished as if he were guilty of the first-mentioned offence.

5. An authorised officer, member of the Garda Síochána or officer of Customs and Excise may, for the purposes of these Regulations and the Council Decision, exercise all or any of the powers conferred on him by the European Communities (Trade in Animals and Animals Products) Regulations, 1994.

6. Nothing in any legislation in force for the time being in the State shall be construed as permitting any person to import or attempt to import from the

United Kingdom any bovine animal or product referred to in Regulation 3 of these Regulations.

7. The European Communities (Importation of Bovine Animals and products obtained from bovine animals from the United Kingdom) Regulations, 1996 (S.I. No. 87 of 1996) are hereby revoked.



GIVEN under my Official Seal, this 22nd day of December, 1999.

JOE WALSH

Minister for Agriculture, Food and Rural Development.

#### EXPLANATORY NOTE

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

These Regulations implement Council Decision 98/256/EC of 16 March, 1998, concerning emergency measures to protect against bovine spongiform encephalopathy, by maintaining the prohibition on the importation from the United Kingdom of live bovine animals, bovine embryos and meat-and-bone meal but permitting the import of certain meat and meat products as specified in the Council Decision as amended.