

# Statutory Rule 1999 No. 189

## Miscellaneous Products of Animal Origin (Import Conditions) Regulations (Northern Ireland) 1999

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### STATUTORY RULES OF NORTHERN IRELAND

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#### 1999 No. 189

#### EUROPEAN COMMUNITIES

#### ANIMALS

#### Miscellaneous Products of Animal Origin (Import Conditions) Regulations (Northern Ireland) 1999

*Made*

*20th April 1999*

*Coming into operation*

*29th May 1999*

#### ARRANGEMENT OF REGULATIONS

1. Citation and commencement.

2. Interpretation.

3. Miscellaneous products of animal origin originating in another Member State.

4. Miscellaneous products of animal origin originating in a third country.

5. Enforcement.

6. Offences and penalties.

### Schedule

The Department of Agriculture, being a Department designated[1] for the purposes of section 2(2) of the European Communities Act 1972[2] in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), and of every other power enabling it in that behalf, hereby makes the following Regulations:

#### **Citation and commencement**

**1. These Regulations may be cited as the Miscellaneous Products of Animal Origin (Import Conditions) Regulations (Northern Ireland) 1999 and shall come into operation on 29th May 1999.**

#### **Interpretation**

**2. - (1) In these Regulations -**

**"Directive 92/118/EEC" means Council Directive 92/118/EEC laying down animal and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC[3];**

**"the Department" means the Department of Agriculture for Northern Ireland;**

**"frogs legs" means the back part of the body divided by a transversal cut behind the front limbs, eviscerated and skinned, of a frog of the species *Rana* spp. (family *Ranidae*) presented fresh, frozen or processed and intended for human consumption;**

**"honey" means honey which is not included in the definition of apiculture product in Article 2(1)(g) of Directive 92/118/EEC;**

**"miscellaneous product of animal origin" means -**

**(a) apiculture products;**

**(b) snails;**

**(c) frogs legs; and**

**(d) honey;**

**"snail" means a terrestrial gastropod of the species *Helix pomatia* Linne, *Helix aspersa* Muller, *Helix lucorum* and species of the family *Achatinidae* which is intended for human consumption.**

**(2) In these Regulations any expression used in Directive 92/118/EEC shall have the**

same meaning as in that Directive.

**(3) The Interpretation Act (Northern Ireland) 1954[4] shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.**

**Miscellaneous products of animal origin originating in another Member State**  
**3. A person shall not import into Northern Ireland from another Member State any miscellaneous product of animal origin originating in another Member State unless -**

**(a) it originated in an establishment which complies with the requirements of Article 4.2 of Directive 92/118/EEC;**

**(b) it satisfies the following requirements of Directive 92/118/EEC -**

**(i) in the case of apiculture products, Chapter 12 of Annex I;**

**(ii) in the case of snails, paragraphs A and B of Part I of Chapter 3 of Annex II;**

**(iii) in the case of frogs legs, paragraphs A and B of Part II of Chapter 3 of Annex II; and**

**(c) where the miscellaneous product of animal origin has passed through a third country, it is accompanied by a certificate certifying that it complies with the relevant requirements of Directive 92/118/EEC.**

**Miscellaneous products of animal origin originating in a third country**

**4. - (1) A person shall not import into Northern Ireland any miscellaneous product of animal origin originating in a third country unless it complies with the conditions applicable to that product set out in the Schedule.**

**(2) The requirement in paragraph (1) shall not apply in relation to the import of a trade sample provided that the import takes place under a licence issued by the Department.**

**(3) The Department may, when issuing the licence referred to in paragraph (2), attach such conditions as it considers appropriate, including any derogations from the checks provided by Council Directive 90/675/EEC[5].**

**(4) A licence issued under this regulation may be amended, suspended or revoked at any time.**

**Enforcement**

**5. The conditions set out in regulations 3 and 4 and the Schedule shall, for the products to which these Regulations apply, be health conditions for the purposes of the Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998[6] and the provisions of those Regulations shall apply accordingly.**

**Offences and penalties**

**6. A person who contravenes any provision of these Regulations shall be guilty of an offence and liable -**

**(a) on summary conviction, to a fine not exceeding the statutory maximum or imprisonment for a term not exceeding three months or both; and**

**(b) on conviction on indictment, to a fine or imprisonment for a term not exceeding two years or both.**

**Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on**

***L.S.***

***R. S. Johnston***  
**Assistant Secretary**

**20th April 1999.**

## **SCHEDULE**

### **Regulation 4**

**Conditions applicable to imports of miscellaneous products of animal origin originating in a third country**

#### **PART I**

#### **APICULTURE PRODUCTS**

**Apiculture products shall -**

- (a) comply with the requirements of Chapter 12 of Annex I to Directive 92/118/EEC;**
- (b) come from an establishment that has been registered in accordance with the second indent of Article 10.2(b) of Directive 92/118/EEC; and**
- (c) be accompanied by a commercial document including the information laid down in Annex A to Commission Decision 94/860/EC laying down the requirements for the import from third countries of apiculture products for use in apiculture<sup>[7]</sup>.**

#### **PART II**

#### **FROGS LEGS**

**Frogs legs shall -**

- (a) comply with the requirements of Part II of Chapter 3 of Annex II to Directive 92/118/EEC;**
- (b) come from a third country or part of a third country listed in Part XII of the**

**Annex to Commission Decision 94/278/EEC drawing up a list of third countries from which Member States authorise imports of certain products subject to Directive 92/118/EEC[8]; and**

**(c) be accompanied by a health certificate in the form set out in Part II of Chapter 3 of Annex II of Directive 92/118/EEC.**

### **PART III**

#### **HONEY**

**Honey shall come from an establishment that has been registered in accordance with the second indent of Article 10.2(b) of Directive 92/118/EEC.**

### **PART IV**

#### **SNAILS**

**Snails shall -**

**(a) comply with the requirements of Part I of Chapter 3 of Annex II to Directive 92/118/EEC;**

**(b) come from a third country or part of a third country listed in Part XI of the Annex to Commission Decision 94/278/EEC; and**

**(c) be accompanied by a health certificate in the form set out in Part I of Chapter 3 of Annex II of Directive 92/118/EEC.**

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### **EXPLANATORY NOTE**

*(This note is not part of the Regulations.)*

**These Regulations implement in Northern Ireland, Council Directive 96/90/EC amending Directive 92/118/EEC laying down animal health and public health requirements governing trade in and imports into the Community of miscellaneous products of animal origin.**

**The Regulations apply to apiculture products, frogs legs, honey and snails. They specify the requirements for the import of those products from other Member States and from third countries (regulations 3 and 4).**

**The Regulations provide for enforcement by applying the provisions of the Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998 and create offences and penalties (regulations 5 and 6).**

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*Notes:*

**[1] S.I. 1972/1811**[back](#)

**[2] 1972 c. 68**[back](#)

**[3] O.J. No. L62, 15.3.93, p. 49 as amended by the Act of Accession (Austria, Finland and Sweden); Commission Decision 94/466/EC (O.J. No. L190, 26.7.94, p. 26); Commission Decision 94/723/EC (O.J. No. L288, 9.11.94, p. 48); Commission Decision 95/338/EC (O.J. No. L200, 24.8.95, p. 35); Commission Decision 95/339/EC (O.J. No. L200, 24.8.95, p. 36); Commission Decision 96/103/EC (O.J. No. L24, 31.1.96, p. 28); Commission Decision 96/340/EC (O.J. No. L129, 30.5.96, p. 35); Commission Decision 96/405/EC (O.J. No. L165, 4.7.96, p. 40) and Council Directive 96/90/EC (O.J. No. L13, 16.1.97, p. 24)[back](#)**

**[4] 1954 c. 33 (N.I.)**[back](#)

**[5] O.J. No. L373, 31.12.90, p. 1**[back](#)

**[6] S.R. 1998 No. 45**[back](#)

**[7] O.J. No. L352, 31.12.94, p. 69**[back](#)

**[8] O.J. No. L120, 11.5.94, p. 44**[back](#)

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