

Statutory Instruments

S.I. No. 537 of 2004

European Communities (Control on Imports of Animal Products from China) (Amendment) Regulations 2004

Dublin

PUBLISHED BY THE STATIONERY OFFICE

To be purchased directly from the

GOVERNMENT PUBLICATIONS SALES OFFICE,

SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2

Or by mail order from

GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,

51 ST. STEPHENS GREEN, DUBLIN 2

(Tel: 01-6476834/35/36/37; Fax: 0164768430)

OR THROUGH ANY BOOKSELLER.

PRN: 3444

Sales Price: €0.76

S.I. No. 537 of 2004

European Communities (Control on Imports of Animal Products from China) (Amendment) Regulations 2004

I, Joe Walsh, Minister for Agriculture and Food, 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 Commission Decision 2004/621/EC¹ of 24 August 2004, hereby make the following regulations -

1. These Regulations may be cited as the European Communities (Control on Imports of Animal Products from China) (Amendment) Regulations 2004.
2. The European Communities (Control on Imports of Animal Products from China) Regulations 2002 (S.I. No. 141 of 2002) as amended by the European Communities (Control on Imports of Animal Products from China) (Amendment) Regulations 2003 are amended by-

- a) The substitution for the definition of “authorised officer” in regulation 2 (1)(a) of –

(a) an authorised officer within the meaning of 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) and Regulation 20(1) of the European Communities (Veterinary Checks on Fish and Fishery Products Imported from Third Countries) Regulations 2003 (S.I. No. 548 of 2003);

- b) The substitution for the definition of “Commission Decision” in regulation 2(1) of –

“Commission Decision” means Commission Decision No. 2002/994/EC of 20 December 2002 as amended by Commission Decision No. 2003/72/EC of 30 January 2003 and Commission Decision No. 2004/621/EC of 26 August 2004;

- c) The substitution of regulation 7(1) by-

“A person who, by act or omission, contravenes Regulation 3 or 6, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €3,000 or to a term of imprisonment not exceeding 6 months, or to both such fine and such imprisonment;

¹ O.J. No. L279, 28.08.2004, p44

d) The substitution of regulation 8(2)(a) by;

“An animal product to which Article 2 of the Commission Decision refers, or”

e) The substitution of Regulation 8(2)(b) by-

“an animal product to which Article 3 of the Commission Decision refers”.

f) The deletion of Regulations 8(3), 8(4) and 8(5).

GIVEN under my Official Seal,
9th September 2004

L.S.

Joe Walsh
Minister for Agriculture and Food

EXPLANATORY NOTE

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

This Order amends S.I No 141 of 2002 and gives effect to Commission Decision 2004/621 of 26 August concerning certain protective measures with regard to the products of animal origin imported from China.

Instrument No. :