

**THE PRODUCTS OF ANIMAL ORIGIN (IMPORT AND EXPORT)  
REGULATIONS 1996**

**THE ANIMALS AND ANIMAL PRODUCTS (IMPORT AND EXPORT)  
(ENGLAND) REGULATIONS 2006**

**DECLARATION**

The Secretary of State for Environment, Food and Rural Affairs, having learned of the presence of highly pathogenic avian influenza in Hungary, which disease is referred to in Council Directive 82/894/EEC<sup>1</sup> and Schedule 6 of the Animals and Animal Products (Import and Export) (England) Regulations 2006<sup>2</sup>—

In exercise of the powers conferred by regulation 35 of the Products of Animal Origin (Import and Export) Regulations 1996<sup>3</sup> in relation to products and by regulation 28 of the Animals and Animal Products (Import and Export) (England) Regulations 2006 in relation to birds and hatching eggs declares as follows:

**General prohibition**

1. The introduction into England of —

- live poultry and other live birds including birds accompanying their owners (pet birds);
- Hatching eggs of the above species and wild feathered game
- products derived from these avian species

from those municipalities in Hungary listed as Areas A and B (as listed in Annex I to Commission Decision 2006/415/EC<sup>4</sup> ("the Decision")) as amended by Commission Decision 2007/128/EC<sup>5</sup> is prohibited, subject to the exceptions below. (A copy of Annex I to the Decision is attached as Annex 1 to this Declaration).

**Interpretation**

2. Terms used in this declaration and the Decision have the same meaning as they have in the Decision.

**Day old chicks**

3a. The prohibition in paragraph 1 shall not apply to day old chicks from a hatchery situated in the surveillance zone in Area A to any holding, provided —

- they are hatched from eggs collected from holdings situated outside the protection and surveillance zones ("the zones"), and
- the hatchery from which they come can ensure by its logistics and biosecurity working conditions that no contact has occurred between these eggs and any other hatching eggs or day-old-chicks originating

---

<sup>1</sup> OJ No. L 378, 31.12.1982, p. 58.

<sup>2</sup> SI 2006 No 1471

<sup>3</sup> SI 1996 No 3124.

<sup>4</sup> OJ No. L 164, 16.6.2006, p. 51.

<sup>5</sup> OJ No. L53, 22.2.2007, p.26

from poultry flocks within the zones and which are therefore of a different health status.

3b. The prohibition in paragraph 1 shall not apply to day old chicks consigned from a hatchery situated in the part of Area A in the surveillance zone or in Area B, provided that the day-old chicks are hatched from hatching eggs which it would be permitted to introduce into England in accordance with the exception in paragraph 5b of this Declaration.

3c. The animal health certificates accompanying consignments of day-old chicks referred to in paragraph 3a and 3b above in accordance with Model 2 of Annex IV to Council Directive 90/539/EEC<sup>6</sup> shall include the words:

'The consignment complies with the animal health conditions laid down in Commission Decision 2006/415/EC.'

#### **Pet birds**

4. The prohibition in paragraph 1 shall not apply to pet birds accompanied by their owner to premises outside Area A or Area B, provided that—

- the consignment either consists of not more than 5 caged birds from holdings not keeping poultry or is destined for a quarantine established in accordance with Decision 2000/666/EC<sup>7</sup>; and
- the birds are accompanied by a veterinary certificate in accordance with the model set out in Annex II to the Decision, certifying compliance with the established animal health conditions, where required based on owners' declaration in accordance with the model set out in Annex III to the Decision.

#### **Hatching eggs**

5a. The prohibition in paragraph 1 shall not apply to hatching eggs consigned to a designated hatchery where agreement is reached in respect of that consignment between the competent authority of Hungary and the Secretary of State, provided that the hatching eggs are collected in holdings situated on the day of collection in Area A outside the surveillance zone or Area B, and at least 10 km away from any suspect holding.

5b. The prohibition in paragraph 1 shall not apply to hatching eggs consigned to hatcheries provided that the hatching eggs are collected from holdings in Area A outside the protection or surveillance zone or in Area B on which the poultry has tested negative in a serological survey for avian influenza capable of detecting 5 % prevalence of disease with at least a 95 % level of confidence and traceability is ensured.

5c. The animal health certificates accompanying consignments of hatching eggs referred to in paragraph 5a and 5b in accordance with Model 1 of Annex IV to Council Directive 90/539/EEC to other Member States shall include the words:

'The consignment complies with the animal health conditions laid down in Commission Decision 2006/415/EC.'

---

<sup>6</sup> OJ No L 303, 31.10.1990, p. 6.

<sup>7</sup> OJ No L 278, 31.10.2000 p. 26.

## **Meat**

6a. The prohibition in paragraph 1 shall not apply to fresh meat from poultry, including meat from ratites, originating in Area A outside the protection zone and the surveillance zones during 15 days following its establishment, or Area B, or produced from poultry referred to in Article 4(1)(d) of the Decision and produced in accordance with Annex II and Sections II and III of Annex III to Regulation (EC) No 853/2004<sup>8</sup> and controlled in accordance with Sections I, II, III, and Chapters V and VII of Section IV of Annex I to Regulation (EC) No 854/2004<sup>9</sup>.

6b. The prohibition in paragraph 1 shall not apply to minced meat, meat preparations, mechanically separated meat and meat products containing meat referred to in paragraph 6a and produced in accordance with Sections V and VI of Annex III to Regulation (EC) No 853/2004.

6c. The prohibition in paragraph 1 shall not apply to meat products produced from meat from wild feathered game originating in Area A or in Area B which were subjected to a treatment as required for avian influenza in table 1(a), (b) or (c) of Annex III to Directive 2002/99/EC<sup>10</sup>.

6d. The prohibition in paragraph 1 shall not apply to fresh meat from wild feathered game originating outside Area A or Area B and produced in establishments within Area A or Area B in accordance with Section IV of Annex III to Regulation (EC) No 853/2004 and controlled in accordance with Chapter VIII of Section IV of Annex I to Regulation (EC) No 854/2004.

6e. The prohibition in paragraph 1 shall not apply to minced meat, meat preparations, mechanically separated meat and meat products containing meat referred to in paragraph 6c and produced in establishments situated in Area A or Area B in accordance with Sections V and VI of Annex III to Regulation (EC) No 853/2004.

6f. The products referred to in paragraphs 6a to 6e must be accompanied by commercial documents stating:

‘The consignment complies with the animal health conditions laid down in Commission Decision 2006/415/EC.’

## **Eggs for human consumption**

7a. The prohibition in paragraph 1 shall not apply to eggs for human consumption collected from holdings in Area A outside the protection or surveillance zone, or in Area B.

7b. The prohibition in paragraph 1 shall not apply to pasteurised egg products in accordance with Chapter II of Section X of Annex III to Regulation (EC) No 853/2004.

---

<sup>8</sup> OJ No. L 139, 30.4.2004, p. 55, the revised text of which is found in the corrigendum published in OJ No L 226, 25.6.2004, p. 22.

<sup>9</sup> OJ No L 139, 30.4.2004, p206, the revised text of which is found in the corrigendum published in OJ No. L 226, 25.6.2004, p. 83.

<sup>10</sup> OJ No L 18, 23.1.2003, p. 11.

### **Animal by-products**

8a. The prohibition in paragraph 1 shall not apply to the dispatch from Area A or Area B of animal by products complying with the conditions set out in Chapters II (A), III (B), IV (A), VI (A and B), VII (A), VIII (A), IX (A) and X (A) of Annex VII, and Chapters II (B), III (II) (A) and VII (A) (1)(a) of Annex VIII to Regulation (EC) No 1774/2002<sup>11</sup>.

8b. The prohibition in paragraph 1 shall not apply to the dispatch from Area B of untreated feathers or parts of feathers in accordance with Chapter VIII (A) (1) (a) of Annex VIII to Regulation (EC) No 1774/2002, produced from poultry or farmed feathered game.

8c. The prohibition in paragraph 1 shall not apply to the dispatch from Area A or area B of feathers or parts of feathers produced from poultry or farmed feathered game provided that those feathers or parts of feathers have been treated with a steam current, or by some other method that ensures that no pathogens remain.

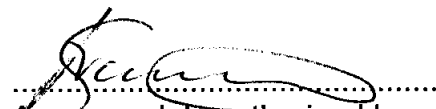
8d. Unless paragraph 8e applies, the products referred to in paragraphs 8b and 8c must be accompanied by a commercial document in accordance with Chapter X of Annex II to Regulation (EC) No 1774/2002 and that in the case of the products referred to in paragraph 8c of this Declaration, the commercial document shall contain at point 6.1 a statement that those products have been treated with a steam current or by some other method ensuring that no pathogens remain.

8e. The requirement for a commercial document set out in paragraph 8d shall not apply to processed decorative feathers, processed feathers carried by travellers for their private use or consignments of processed feathers sent to private individuals for non-industrial purposes.

This Declaration shall come into force at 1000 hours on 26 February 2007.

Declaration IAH DEC 2007/04 is revoked.

Signed at 1000 hours on 26 February 2007 by Peter Grimley.



A person duly authorised by  
the Secretary of State for Environment, Food and Rural Affairs

---

<sup>11</sup> OJ No L 273, 10.10.2002, p. 1.

**NOTE**

(This note is not part of the Declaration)

Separate declarations are being issued for animals and products covered by this declaration in respect of Scotland, Wales and Northern Ireland.

This Declaration gives effect to measures imposed under Commission Decision 2006/415/EC as amended by Commission Decision 2007/128/EC. The Decision as amended restricts movements of poultry and other birds and their products, including hatching eggs both within and from Hungary. This Declaration gives effect to the restrictions as they apply to imports from the restricted areas of Hungary into England.

Introduction of animals or products in contravention of this Declaration is a criminal offence. The penalty on summary conviction is a fine not exceeding the statutory maximum (£5,000), or a term of imprisonment not exceeding three months, or both; and the penalty on conviction on indictment, is an unlimited fine, or a term of imprisonment not exceeding two years, or both.

Powers to detain, seize and forfeit goods under the Customs and Excise Management Act 1979 will apply to animals and products brought into England in breach of this Declaration.

A copy of this Declaration will be sent to all Divisional Veterinary Managers in England.

ANNEX

'ANNEX

**PART A**

Area A as established in accordance with Article 4(2):

ISO country code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
HU	HUNGARY	00006	In the county of Csongrád the municipalities of:	12.3.2007
	Protection zone		Derekegyház Nagymágocs periphery (partly). A small part of the periphery within a circle of radius 3 km from the first outbreak, west of the town. Szentés periphery (only Lapistó)	
	Surveillance zone		Árpádhalom (partly) The town and the north, west and south periphery. Fábiánsebestyén Hódmezővásárhely periphery (partly). A small part of the periphery within a circle of radius 10 km from the second outbreak, north of the town. Mártély (partly). North-east of inner town. Mindszent (partly) East of inner town. Nagymágocs (partly). Remaining part of the town. Szegevár Székkutas periphery (partly) Periphery north-west of the town. Szentés periphery (partly). East, south-east and south of the town (excluding Lapistó).	
UK	UNITED KINGDOM	00154		12.3.2007
	Protection zone		Part of the county of Suffolk contained within a circle of radius 3 kilometres, centred on grid reference TM4009079918 (*).	
	Surveillance zone	00154	Part of the county of Suffolk contained within a circle of radius 10 kilometres, centred on grid reference TM4009079918 (*)	

(\*) The grid reference is a British National Grid reference.

## PART B

Area B as established in accordance with Article 4(2):

ISO country code	Member State	Area B		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
HU	HUNGARY	00006	<p>In the county of Csongrád the municipalities of:</p> <p>Árpádhalom (partly). Periphery east of the town.</p> <p>Baks Balástya Csanytelek Csongrád Dóc Eperjes Felgyő Hódmezővásárhely (partly). The town, west periphery, east periphery and the remaining part of the north periphery.</p> <p>Kistelek Nagyőke Mindszent (partly). Remaining part. Mártély (partly). Remaining part. Ópusztaszer Pusztaszer Székkutas (partly). Remaining part. Szentés (partly). The town and the west periphery and north periphery. Tömörkény</p>	12.3.2007
UK	UNITED KINGDOM	00154 00162	<p>Parts of the counties of Norfolk and Suffolk contained within the following boundaries:</p> <p>From map reference TM357400 (*), follow minor road west to a T junction at map reference TM346400 (*). Turn right onto the B1083 and continue north along the B1083 to the roundabout at map reference TM292500 (*). Turn left onto the A1152 and continue west and then south to the roundabout at map reference TM259493 (*). Turn right onto the B1079 and continue west and then north west to the junction at map reference TM214538 (*). Turn left onto the B1078 and continue west to the junction with the A140(T) at map reference TM111548 (*). Turn right and continue north along the A140(T) until the junction with the A47(T) at TG219038 (*). Turn right and continue north east and then east along the A47(T) to the roundabout at map reference TG518084 (*). Turn onto the A149 and continue south west to a junction at TG521080 (*). Follow the B1141 south east to a junction with a minor road at map reference TG525078 (*). Turn left into the minor road and continue east to a T junction with another minor road at the coast at map reference TG531079 (*) (boundary extends directly east to coast at TG532078 (*) and follows coast south to map reference TM357400 (*)).</p>	12.3.2007

(\*) The grid reference is a British National Grid reference.