

**THE ANIMALS AND ANIMAL PRODUCTS (IMPORT AND EXPORT) (ENGLAND)
REGULATIONS 2006
(SI 2006/1471)**

DECLARATION

The Secretary of State for Environment, Food and Rural Affairs, having learned by means of the procedure set out in Article 10 of Council Directive 90/425/EEC and by other means of the presence in areas of Bulgaria, France, Italy, Portugal and Spain of bluetongue, and a risk of Cyprus and Malta becoming affected by bluetongue, which disease is referred to in Schedule 6 of the Animals and Animal Products (Import and Export) (England) Regulations 2006 –

IN EXERCISE OF the powers conferred by regulation 28 of the Animals and Animal Products (Import and Export) (England) Regulations 2006, for the purpose of preventing the introduction or spreading of disease into or within England,

DECLARES that –

Prohibition

1. Subject to paragraphs 2 to 5 below, the introduction into England of –

(a) any animal of a species susceptible to bluetongue, and the semen, ova and embryos of any such animal, from the states or areas within states listed in the Schedule to this Declaration; and

(b) any animal species susceptible to bluetongue dispatched to England from an area of the Community outside of the states, or areas within states, listed in the Schedule, but which has passed in transit through those states, or areas within states –

is PROHIBITED.

Exception to prohibition in paragraph 1 (a)

2. The prohibition in paragraph 1(a) above does not apply to the introduction of an animal of a species susceptible to bluetongue, or the semen, ova and embryos (“animal product”) of such an animal, dispatched from the states or areas within states listed under the headings “Zone A”, “Zone B”, “Zone C”, “Zone D”, “Zone E” or “Zone G” in the Schedule to this Declaration PROVIDED that –

(a) the conditions laid down in Article 3 or 4 of Commission Decision 2005/393/EC (as amended)¹ are complied with in respect of that animal or animal product;

¹ OJ L 130, 24.05.2005, p. 22. Commission Decision 2005/393/EC has been amended by Commission Decisions 2005/434/EC (OJ L 151, 14.06.2005, p.21), 2005/603/EC (OJ L 206, 09.08.2005, p.11), 2005/763/EC (OJ L 288, 29.10.2005, p.54), 2005/828/EC (OJ L 311, 26/11/2005, p.37), 2006/64/EC (OJ L 32, 4/2/2006, p.91), 2006/572/EC (OJ L 227, 19/8/2006, p.60), 2006/591/EC (OJ L 240, 2/9/2006, p. 15), 2006/633/EC (OJ L 258, 21/9/2006, p. 7), 2006/650/EC (OJ L 267, 27/9/2006, p 45), 2006/693/EC (OJ L 283, 14/10/2006, p 52), 2006/858/EC (OJ L 332, 30.11.2006, p. 26), 2007/28/EC (OJ L 8, 13.1.2007, p. 51), 2007/101/EC (OJ L 43, 15.2.2007, p.40), 2007/146/EC (OJ L 64, 2.3.2007, p. 37), 2007/227/EC (OJ L98, 13.4.2007, p. 23), 2007/354/EC, (OJ L 133, 25.5.2007, p. 37) and 2007/357/EC (OJ L133, 25.5.2007, p. 44)..

(b) except in the case of frozen semen and of ova and embryos, the Secretary of State in England has given approval in writing before the dispatch of the animal or animal product to England; and

(c) the animal or animal product is accompanied by a health certificate as required under Council Directives 64/432/EEC², 88/407/EEC³, 89/556/EEC⁴, 91/68/EEC⁵ and 92/65/EEC⁶ which contains the following wording:

“animals/semen/ova/embryos (*) in compliance with Decision 2005/393/EC.

(*) delete as appropriate.”.

3. The prohibition in paragraph 1(a) above does not apply to the introduction of an animal of a species susceptible to bluetongue, dispatched from the states or areas within states listed under the headings “Zone A”, “Zone B”, “Zone C”, “Zone D”, “Zone E” or “Zone G” in the Schedule to this Declaration PROVIDED that –

(a) an insecticide treatment of the animal and its means of transport has been carried out at the place of loading or in any case prior to entering England; and

(b) the animal is in transit to another member state.

(c) any health certificate required under Council Directives 64/432/EEC, 91/68/EEC and 92/65/EEC to accompany any such animal shall contain the following wording –

“Insecticide treatment with [*name of the product*] on [*date*] at [*time*] in conformity with Decision 2005/393/EC.”.

4. The prohibition in paragraph 1(a) above does not apply to the introduction of an animal product of any animal of a species susceptible to bluetongue, dispatched from the states, or areas within states, listed under the headings “Zone A”, “Zone B”, “Zone C”, “Zone D”, “Zone E” or “Zone G” in the Schedule to this Declaration, that was collected or produced before 1 May 2006.

Exceptions to prohibition in paragraph 1(b)

5. The prohibition in paragraph 1(b) above does not apply to the introduction of any animal of a species susceptible to bluetongue which animal originates from outside of the states, or areas within states, listed in the Schedule but which has passed in transit through any of those states, or areas within states, PROVIDED that –

(a) an insecticide treatment of the animal and its means of transport has been carried out at the place of loading or in any case prior to entering the state, or

² OJ L 121, 29.7.1964, p. 1977

³ OJ L. 194, 22.7.1988, p. 10

⁴ OJ L. 302, 19.10.1989, p. 1

⁵ OJ L. 46, 19.2.1991, p. 19

⁶ OJ L. 268, 14.9.1992, p. 54

area within a state, listed in the Schedule through which it will pass in transit;
and

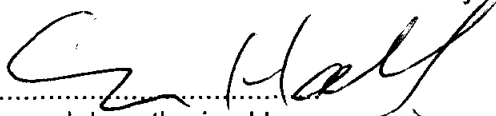
(b) the animal is accompanied by a health certificate as required under Council Directives 64/432/EEC, 91/68/EEC and 92/65/EEC which contains the following wording –

“Insecticide treatment with [*name of the product*] on [*date*] at [*time*] in conformity with Decision 2005/393/EC.”.

Revocation

6. The Declaration IAH DEC 2007/11 dated 6 March 2007 relating to bluetongue in France, Italy, Portugal and Spain relating to animals susceptible to bluetongue, their semen, ova, and embryos, is hereby REVOKED.
7. This Declaration shall come into force at 0945 hours on 15 June 2007 and shall remain in force until withdrawn or varied by further such declaration.

Signed at 0945 hours on 15 June 2007 by Simon Hall



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

Schedule

(Restricted zones: geographical areas where protection and surveillance zones are established by the Member States)

Zone A

Italy

Abruzzo: Chieti, all Municipalities belonging to the Local Health Unit of Avezzano-Sulmona
Basilicata: Matera, and Potenza
Calabria: Catanzaro, Cosenza, Crotona, Reggio Calabria, Vibo Valentia
Campania: Caserta, Benevento, Avellino, Napoli, Salerno
Lazio: Frosinone, Latina
Molise: Isernia, Campobasso
Puglia: Foggia, Bari, Lecce, Taranto, Brindisi
Sicilia: Agrigento, Catania, Caltanissetta, Enna, Messina, Palermo, Ragusa, Siracusa and Trapani

Malta

Zone B

Italy

Abruzzo: L'Aquila with the exception of all municipalities belonging to the local health unit of Avezzano-Sulmona

Lazio: Rieti, Roma, Viterbo

Toscana: Grosseto

Umbria: Terni and Perugia'

Zone C

France

Corse du sud, Haute-Corse

Italy

Sassari

Zone D

Cyprus

Contd over

Zone E

Spain:

- Autonomous Region of Extremadura: provinces of Cáceres, Badajoz;
- Autonomous Region of Andalucía: provinces of Cádiz, Córdoba, Huelva, Jaén (comarcas of Alcalá la Real, Andújar, Huelma, Jaén, Linares, Santiesteban del Puerto, Ubeda), Málaga, Sevilla;
- Autonomous Region of Castilla-La Mancha: provinces of Albacete (comarca of Alcaraz), Ciudad Real, Toledo;
- Autonomous Region of Castilla y León: provinces of Avila (comarcas of Arenas de San Pedro, Candeleda, Cebreros, El Barco De Ávila, Las Navas del Marqués, Navalunga, Sotillo de la Adrada), Salamanca (comarcas of Béjar, Ciudad Rodrigo and Sequeros);
- Autonomous Region of Madrid: province of Madrid (comarcas of Alcalá de Henares, Aranjuez, Arganda del Rey, Colmenar Viejo, El Escorial, Grinon, Municipio de Madrid, Navalcarnero, San Martín de Valdeiglesias, Torrelaguna, Villarejo de Salvanes).'

Portugal:

- Regional Direction of Agriculture of Algarve: all *concelhos*
- Regional Direction of Agriculture of Alentejo: all *concelhos*
- Regional Direction of Agriculture of Ribatejo e Oeste: all *concelhos*
- Regional Direction of Agriculture of Beira Interior: *concelhos* of Penamacor, Fundão, Idanha-a-Nova, Castelo Branco, Proença-a-Nova, Vila Velha de Ródão and Mação.'

Zone G

Italy

Sardinia, Cagliari, Nuoro, Oristano

Zone H

Bulgaria

- Administrative district of Burgas.'

NOTE

(This note is not part of the Declaration)

Separate declarations are being issued in respect of Scotland, Wales and Northern Ireland.

Introduction of animals or products in contravention of this Declaration is a criminal offence under regulation 27(5) and 33(1) of the above Regulations. 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 a fine, which may be imposed in such amount as the Court sees fit, or a term of imprisonment not exceeding two years, or both.

A copy of this Declaration will be sent to all Divisional Veterinary Managers in England and posted on the Defra website.