



TRADE IN ANIMALS AND RELATED PRODUCTS ORDER 2020

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Statutory Document No. 2020/0496

*Animal Health Act 1996*

TRADE IN ANIMALS AND RELATED PRODUCTS ORDER 2020¹

*Approved by Tynwald**18 November 2020**Coming into Operation:**1 December 2020*

The Department of Environment, Food and Agriculture makes the following Order under sections 8 and 9 of and Schedule 1 to the Animal Health Act 1996.

PART 1 - INTRODUCTORY

1 Title

This Order is the Trade in Animals and Related Products Order 2020.

2 Commencement

This Order comes into operation on 1 December 2020¹.

3 Interpretation

(1) In this Order —

“**animal**” means an animal of any kind, including a bird, fish or invertebrate;

“**border control post**” means a place, together with the facilities contained at that place, that has been designated for the performance of the official controls in accordance with Article 59 of the Official Controls Regulation;

“**CHED**” has the meaning assigned to it in article 6;

“**customs supervision**” means action taken in general by the customs authorities with a view to ensuring that customs legislation and, where appropriate, other provisions applicable to goods subject to such action are observed;

¹ Section 54 of the Animal Health Act 1996 requires that every Order made under that Act must be laid before Tynwald as soon as practicable after it is made, and if Tynwald at the sitting at which the order is laid or at the next following sitting fails to approve it, the Order shall cease to have effect.

- “**genetic material**” means any germinal product that includes semen, oocytes and embryos intended for artificial reproduction and hatching eggs;
- “**health certificate**” in this Order includes the equivalent of a health certificate in electronic form;
- “**importer**” means the natural or legal person who presents animals or products for importation into the Isle of Man;
- “**intensified official controls**” means those controls carried out in accordance with Article 65(4) of the Official Controls Regulation;
- “**necessary checks**” means the checks required under United Kingdom legislation for entry into or through the United Kingdom via a border control post and includes both physical and documentary checks;
- “**official controls**” means activities performed in accordance with Article 2(1) of the Official Controls Regulation;
- “**official detention**” means the procedure by which the competent authority ensures that animals and goods subject to official controls are not moved or tampered with pending a decision on their destination; it includes storage by operators in accordance with the instructions and under the control of the competent authorities;
- “**official fish inspector**” has the meaning assigned to it in regulation 12 of the Trade in Animals and Related Products Regulations 2011² (of Parliament);
- “**official veterinarian**” has the meaning assigned to it in Article 3 of the Official Controls Regulation;
- “**premises**” includes any place, vehicle, trailer, container, stall, moveable structure, ship or aircraft;
- “**product**” means —
- (a) any product of animal origin, germinal product, animal by-product, derived product or hay or straw subject to official controls at border control posts in the British Islands; and
 - (b) any composite product listed in Commission Decision 2007/275 concerning lists of animals and products to be subject to official controls at border inspection posts³; and
- “**third country**” means any country or territory other than the British Islands.
- (2) In this Order “the Official Controls Regulation” is a reference to Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products⁴.

² SI 2011/1197

³ OJ L 116, 4.5.2007, p. 9

⁴ OJ L 095 7.4.2017, p. 1

4 Pet animals

- (1) This Order does not apply in relation to pet animals where —
 - (a) the movement is a non-commercial movement; and
 - (b) in the case of cats, dogs and ferrets —
 - (i) the pet animal is accompanying the owner or authorised person; or
 - (ii) where more than five pet animals are accompanying the owner or authorised person, the conditions set out in Article 5(2) of the Pets Regulation are fulfilled.
- (2) In addition to the requirements of this Order, movements of cats, dogs and ferrets not exempted by paragraph (1) must comply with the requirements set out in —
 - (a) points (a) to (d) of Article 10(1), and paragraph (1) of Article 12, of the Pets Regulation; and
 - (b) Commission Implementing Decision (EU) 2019/294 laying down the list of territories and third countries authorised for imports of dogs, cats and ferrets and the model animal health certificate for such imports⁵.
- (3) In this article —

“authorised person”, “non-commercial movement” and “owner” have the meanings given by Article 3 of the Pets Regulation;

“the Pets Regulation” means Regulation (EU) No 576/2013 of the European Parliament and of the Council on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003⁶;

“pet animal” has the same meaning as in Article 4(11) of Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health⁷;

PART 2 - IMPORTATION

5 Scope of this Part

Subject to article 16 (exclusions), this Part applies in relation to the importation into the Isle of Man from a third country of any animal or product subject to official controls at border control posts in the British Islands.

⁵ OJ L 48, 20.2.2019, p. 41

⁶ OJ L 178, 28.6.2013, p. 1

⁷ OJ L 84, 31.3.2016, p. 1.

6 Meaning and use of Common Health Entry Document “CHED”

- (1) A “Common Health Entry Document” (“CHED”) means a document, or an electronic equivalent, in the format specified in Commission Implementing Regulation (EU) 2019/1715 laying down rules for the functioning of the information management system for official controls and its system components.
- (2) Where the imported consignment is required to be accompanied by a CHED to the premises of final destination, the operator responsible for the consignment must complete the relevant parts of the CHED prior to the physical arrival of the consignment.
- (3) The cases where and conditions under which the use of a CHED is required are specified in Commission Delegated Regulation (EU) 2019/1602 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council concerning the Common Health Entry Document accompanying consignments of animals and goods to their destination.
- (4) Where a CHED is required, the operator responsible for the consignment must comply with the provisions of Article 56 of the Official Controls Regulation.
- (5) An electronic equivalent refers to a CHED capable of being produced at any time by the person responsible for the consignment.

7 Importation from a third country

- (1) A person must not import into the Isle of Man any animals or products that originate in a third country –
 - (a) other than animals or products that have been subject to all of the necessary checks at a border control post in the British Islands prior to the arrival of the consignment in the Isle of Man;
 - (b) that have been removed from a border control post in the British Islands without –
 - (i) a CHED; or
 - (ii) the written authority of the official veterinarian or official fish inspector (as appropriate) at that border control post; or
 - (c) other than in the case of a consignment re-imported under article 17 (re-importation of animals and products), where the Isle of Man is not the destination specified in the CHED or the written authority of the official veterinary surgeon or official fish inspector (as appropriate) at a border control post in the British Islands.
- (2) Paragraph (1)(a) and (b) do not apply where, prior to arrival in the Isle of Man, a consignment has been imported into England in accordance with the special transitional import arrangements set in regulation 26(2) of and Schedule 5 to the Trade in Animals and Related Products Regulations 2011

(of Parliament) or into another jurisdiction in the British Islands under equivalent legislation.

- (3) Paragraphs (1) and (2) do not limit any power of the Department to undertake any other or additional checks on any consignment arriving in the Isle of Man as may be required or permitted under any other enactment.
- (4) In this Article, “import” includes for the purposes of —
 - (a) entry into the specified jurisdiction;
 - (b) movement within the British Islands; or
 - (c) immediate re-export, either directly or indirectly, to a third country.

8 Supervision and monitoring consignments

In the case of an animal or product, if the CHED requires a consignment to be taken to a specific destination in the Isle of Man —

- (a) the movement must be under customs supervision if this is specified in the CHED; and
- (b) on arrival, the occupier of the destination premises must immediately notify the Department of its arrival.

9 Unchecked consignments

The Department must seize any consignment of animals or products originating in a third country which do not comply with the requirements set out in article 7 (importation from a third country).

10 Action following seizure — products

- (1) This article applies in relation to any consignment of products seized or detained under article 9 (unchecked consignments).
- (2) The Department must, after consultation with the importer or the importer’s representative, and in accordance with Article 68(1)(b) of the Official Controls Regulation, place any seized consignment under official detention and refuse its entry into the Island.
- (3) The Department must order the person responsible for the consignment —
 - (a) to subject the consignment to special treatment in accordance with Article 71(1) and (2) of the Official Controls Regulation or to any other measure necessary to ensure compliance with the rules referred to in Chapter 5 of Title II of the Official Controls Regulation and, where appropriate and provided there is no risk to human or animal health, allocate the consignment for purposes other than those for which it was originally intended;

- (b) Where health conditions permit, require the person in charge of the consignment to re-dispatch the products, in accordance with Article 72 of the Official Controls Regulation to a destination outside the British Islands agreed with the person responsible for the consignment —
 - (i) via the same border control post in the British Islands via which the consignment arrived in the Island; or
 - (ii) where the consignment did not arrive in the Island via a border control post in the British Islands, via —
 - (A) the nearest border control post in the British Islands approved for that animal or product; or
 - (B) such border control post in the British Islands as the Department may from time to time direct; or
 - (c) if that responsible person gives immediate agreement, re-dispatch is impossible, the 60-day time limit has elapsed or if the consignment poses an immediate risk to human or animal health to destroy the products.
- (4) Re-dispatch under paragraph (3)(b) must occur within a maximum time limit of 60 days from the date of the official notification issued by the Department ordering that the consignment be re-dispatched.
- (5) The Department may exceptionally authorise destruction, re-dispatch, special treatment, or any other measure that may be taken in respect of a seized consignment to be taken in respect of a part of the consignment only, provided that the action taken —
- (a) is such as to ensure compliance;
 - (b) does not pose a risk to human or animal health; and
 - (c) does not disrupt official control operations.
- (6) Pending re-dispatch or confirmation of the reasons for rejection, the person responsible for the seized consignment must, at that person's own expense, store the consignment under the supervision of the Department.
- (7) If a consignment of products is seized at a place other than the place of first arrival in the Isle of Man, the Department must order that such consignment be retained or recalled, and placed under official detention without delay, and paragraphs (3) to (6) apply.
- (8) The importer or the importer's representative is liable for the costs incurred in any measures taken under paragraphs (2) to (7).

11 Serious or repeated infringements and breach of maximum residue limits

- (1) If the Department suspects that products from a particular source in a third country have been the subject of serious infringements of any import

requirement, or contraventions that form part of a series of similar contraventions, including where those checks reveal that maximum residue levels have been exceeded, the Department may —

- (a) require extra physical checks;
 - (b) take samples for testing or analysis from subsequent consignments from the same source; and
 - (c) take appropriate measures in accordance with Section 3 in Chapter 5 in Title II of the Official Controls Regulation.
- (2) If the Department has reason to suspect fraudulent or deceptive practices by an operator responsible for a consignment, the Department may apply intensified official controls.
- (3) Where the person responsible for consignments is informed that extra checks will be required in accordance with paragraph (1), that person must, before the arrival of future consignments in the Isle of Man, lodge with the Department a deposit or guarantee sufficient to cover all costs incurred by the Department, include the taking of samples and carrying out tests or analysis.

12 Action following seizure — animals

- (1) This article applies in relation to any consignment of animals seized under article 9 (unchecked consignments).
- (2) The Department must initially place the animal under detention, isolation or quarantine, as appropriate, where it must be kept, cared for or treated under appropriate conditions pending further official decision on the fate of the animal.
- (3) Unless immediate action is necessary in order to respond to a risk to human or animal health or animal welfare or to the environment, Department may, after consultation with the importer or the importer's representative, order the person responsible for the consignment —
 - (a) to shelter, feed and water and, if necessary, treat the animal;
 - (b) if necessary, to place it in quarantine or isolate it for so long as is necessary to ensure that there is no risk to human or animal health; or
 - (c) to re-dispatch the animal in accordance with Article 72 of the Official Controls Regulation without delay.
- (4) If re-dispatch is impossible, in particular for welfare reasons, the Department may order the importer or the importer's representative to arrange for the slaughter of the animal to spare any avoidable pain, distress or suffering.
- (5) If an animal is seized at a place other than the place of first arrival in the Isle of Man, the Department must order the consignment to be retained or

recalled, and placed under official detention without delay, and paragraphs (2) and (3) apply.

- (6) The Department may exceptionally authorise partial destruction, re-dispatch, special treatment, or any other measure that may be taken in respect of a consignment of animals to be taken in respect of a part of a consignment only, provided that the action taken —
 - (a) is such as to ensure compliance with the import check requirements of the Official Controls Regulation and any relevant Implementing Regulations and Delegated Regulations made under it;
 - (b) does not pose a risk to human or animal health; and
 - (c) does not disrupt official control operations.
- (7) The importer or the importer's representative is liable for the any costs incurred in taking action under this regulation.

13 Appeals

Any person who is aggrieved by a decision referred to in article 10 (action following seizure – products) or 12 (action following seizure – animals) may appeal within one month of the decision to a court of summary jurisdiction by way of complaint for an order and the Summary Jurisdiction Act 1989⁸ applies to the proceedings.

14 Additional requirements relating to imports from third countries

Schedule 1 makes additional requirements relating to imports from third countries.

15 Exclusions

The provisions of this Part do not apply in the cases specified in Schedule 2.

16 Re-importation of animals and products

- (1) This article applies where a consignment of animals and products referred to in points (a) and (b) of Article 47(1) of the Official Controls Regulation originating in the Isle of Man are refused entry by a third country.
- (2) The person responsible for the consignment must make a request in writing to the Department for authorisation for the consignment to be re-imported into the Isle of Man.
- (3) A consignment may be re-imported into the Isle of Man provided that —
 - (a) the consignment is returned to the Isle of Man in accordance with the authorisation granted by the Department;

⁸ AT 15 of 1989

- (b) the consignment is returned to the Isle of Man via a border control post in the British Islands and has been subjected to all of the necessary checks for that animal or animal product at that border control post;
 - (c) animals and germinal products comply with the relevant animal health and animal welfare requirements;
 - (d) products of animal origin and composite products comply with animal and public health requirements relating to consignments of products for human consumption; and
 - (e) animal by-products comply with the animal health requirements laid down in Annex 14 to Commission Regulation (EU) 142/2011⁹.
- (4) The importer must either —
- (a) transport the consignment directly to the establishment of origin, in leak-proof means of transport, identified and sealed by the official veterinarian at the border control post so that the seals will be broken whenever the container is opened; or
 - (b) have the consignment destroyed in accordance with relevant procedures for animal by-products.
- (5) The authorisation of the Department may be subject to such conditions as it deems necessary for the purposes of safeguarding human health, animal health or animal welfare.
- (6) This article does not limit any power of the Department to undertake any other or additional checks on any consignment arriving in the Isle of Man as may be required or permitted under any other enactment.

17 Admission of products in compliance with Customs storage requirements

A person must not bring into the Isle of Man a consignment of products that does not comply with the import requirements of this Order into an area approved for use as —

- (a) a customs warehouse under the Customs (Special Procedures and Outward Processing) Regulations 2019¹⁰; or
- (b) a free zone under section 102 of the Customs and Excise Management Act 1986¹¹.

⁹ OJ L 54, 26.2.2011, p. 1.

¹⁰ SD 2019/0154.

¹¹ AT 34 of 1986

PART 3 – SAFEGUARD MEASURES

18 Safeguard measures

- (1) Where the Department –
 - (a) has reasonable grounds for suspecting the existence of a disease, zoonosis, phenomenon or circumstance outside the Isle of Man such that animals or products originating from the whole or part of the country concerned are liable to pose risk to human or animal health; or
 - (b) is of the opinion that there is evidence of serious non-compliance with official controls rules under the Official Controls Regulation in relation to imports,the Department may publish a declaration of the special measures necessary in order to contain such risks and prevent potentially non-compliant animals or products entering into Isle of Man.
- (2) The special measures that the Department may require include –
 - (a) suspension of entry of any animal or product originating in or dispatched from the whole or part of the country concerned;
 - (b) imposition of conditions requiring that any animals or products –
 - (i) prior to dispatch, or on arrival, are made the subject of specific treatment or controls;
 - (ii) be accompanied by an official certificate, an official attestation, or any other evidence (in any format that may be specified) that any import complies with established official control rules under the Official Controls Regulation and any relevant Implementing Regulations and Delegated Regulations made under it or equivalent rules in third countries;
 - (c) such other measures as the Department considers necessary to contain the risk.
- (3) The declaration must be published in such manner as the Department thinks fit and may be amended or revoked by further declaration at any time.
- (4) No person may import anything into the Isle of Man in breach of any measures mentioned in any such declaration.

PART 4 – ADMINISTRATION

19 Notifications and authorisations

Any notification or authorisation must be in writing, may be subject to conditions and may be amended, suspended or revoked by further notice in writing at any time.

20 Enforcement

- (1) This Order is enforced by the Department.
- (2) In addition, in relation to products, this Order is enforced by an officer (within the meaning of section 184(1) of the Customs and Excise Management Act 1986) in any place where goods are subject to customs supervision by that officer.
- (3) Where an officer of customs and excise exercising a statutory function at any place under customs supervision discovers any animal or product suspected of being non-compliant, that officer must detain it and notify such detention to an authorised officer of the Department.

21 Delegation of functions

In order to facilitate compliance the requirements set out in article 7 (importation from a third country) the Department may delegate such of its functions under the Official Controls Regulations as are required or permitted to be undertaken at a border control post to the competent authorities of border control posts in the British Islands.

22 Importation of animals or products constituting a risk to animal or public health

- (1) If an imported animal or product is suspected by the Department of constituting a serious risk to human or animal health or animal welfare, or in the case of suspicion of non-compliance, the animal or product comes from a region contaminated by an epizootic disease, an officer of the Department may require —
 - (a) an investigation in order to confirm or eliminate that suspicion and the importer must assist the officer with establishing the region of origin;
 - (b) an investigation into the extent of any suspected non-compliance and to establish the operator's responsibilities;
 - (c) intensified official controls on consignments of animals, products from a particular region until such imports no longer are regarded by the officer of constituting such health risk;
 - (d) the official detention of any of the animals or products; or

- (e) appropriate measures to ensure that the person responsible for the animals or products remedies the non-compliance and prevents further occurrences of such non-compliance.
- (2) Where the Department is satisfied that imported animals or products constitute a risk to animal or public health, an officer of the Department may, following written notice, take any reasonable action to ensure compliance with any rules laid down in accordance with Article 1.2 of the Official Controls Regulation, including –
- (a) taking samples for testing and ordering or performing of veterinary treatments on animals;
 - (b) ordering the unloading of animals, transfer of them via another means of transport to a specified holding for a specified quarantine period (which could involve the postponement of the slaughter of animals);
 - (c) the slaughter or killing of animals provided that this is the most appropriate measure to safeguard human health as well as animal health and welfare;
 - (d) restricting or prohibiting the placing on the market, the movement or the export of the animal or product, or requiring return to the country of dispatch;
 - (e) ordering the importer to increase the frequency and thoroughness of their own systematic checks and controls before importing further animals or goods from the same region;
 - (f) ordering the isolation or closure, for an appropriate period of time, of all or part of a business operation (including any related internet and on-line sales of products that may constitute a risk to animal or human health) affected by the import of an animal or product that constitutes a risk to animal or human health;
 - (g) the recall, withdrawal, removal and destruction of products, authorising, where appropriate, the use of the products for purposes other than those for which they were originally intended;
 - (h) the treatment of products for human consumption, the alteration of labels or corrective information to be provided to consumers;
 - (i) the temporary suspension or withdrawal of the registration or approval of an affected establishment, plant, holding or means of transport concerned, or of an authorisation of a transporter; or
 - (j) the use of the products for purposes other than those for which they were originally intended.
- (3) An authorised officer of the Department must provide an affected business operator, or its representative, with –
- (a) written notification of the decision concerning the action or measure to be taken in accordance with this article, together with the reasons for that decision; and

- (b) information on any right of review against such decisions in accordance with article 23 (review of decisions by an appointed person).
- (4) All expenditure incurred under this article is borne by the responsible operator.
- (5) In the case of issuance of false or misleading official certificates in the Isle of Man, or where there is evidence of abuse of official certificates, an officer of the Department may take appropriate measures, including –
 - (a) the temporary suspension of the certifying officer from certifying any certificates related to any relevant trade;
 - (b) the withdrawal of the authorisation of a person to sign official certificates; and
 - (c) any other measure believed by the officer to be necessary to prevent a reoccurrence of any non-compliance or abuse.

23 Review of decisions by an appointed person

- (1) Any person aggrieved by a decision made under this Order, other than decisions referred to in articles 10 (action following seizure - products) or 12 (action following seizure – animals), may request a review of that decision by a person appointed by the Department (“the appointed person”).
- (2) Within 21 days of the appointment of the appointed person written representations may be made by the aggrieved person to the appointed person.
- (3) The right of review does not affect the Department’s requirement to take prompt action to eliminate or contain the risks to human or animal health.
- (4) The appointed person must consider any written representations made when reviewing the disputed decision and must report in writing to the Department within a period of 21 days with a recommended course of action resulting from the review.
- (5) The Department must consider the report of the appointed person and promptly notify the aggrieved person of the outcome of the review and provide a copy of the report of the appointed person.
- (6) A review does not affect the obligation on the Department to take prompt action to eliminate or contain the risks to human or animal health.

24 Exchange of information

- (1) The Treasury and the Department may exchange information for the purposes of this Order, and may disclose information to the enforcement authorities in the British Islands for the purposes of this Part or the equivalent legislation in those jurisdictions.

- (2) Paragraph (1) is without prejudice to any other power of the Department or the Treasury to disclose information.
- (3) No person, including a servant of the Crown, may disclose any information received from the Treasury under paragraph (1) if –
- (a) the information relates to a person whose identity –
 - (i) is specified in the disclosure; or
 - (ii) can be deduced from the disclosure;
 - (b) the disclosure is for a purpose other than the purposes specified in paragraph (1); and
 - (c) the Collector has not given prior consent to the disclosure under section 174B of the Customs and Excise Management Act 1986.
- (4) For the purposes of this article “enforcement authorities”, in respect of England, has the meaning assigned to it in regulation 31 of the Trade in Animals and Related Products Regulations 2011¹² or, in respect of other jurisdictions in the British Islands, as defined in equivalent legislation operating in that jurisdiction.

25 Offences

Breach of the following provisions is an offence –

Provision	Description of the offence
Article 7(1) and (2)	Failure to comply with requirements for importation
Article 8	Notification
Article 9	Movement other than under customs supervision and failure to notify the Department
Article 18	Failure to comply with Customs storage procedure
Article 19	Importing a product that does not comply with the import requirements of this Order and the Customs procedures and storage procedures on imports in the Taxation (Cross-border Trade) Act 2018 ¹³
Article 24(3)	Disclosure of information
Schedule 1	
paragraph 1(2)	Slaughter of animals
paragraph 1(3)	Keeping animals at their place of destination
paragraph 2(2)	Transport of birds to approved quarantine facilities or centres
paragraph 2(3)	Release of birds from quarantine
paragraph 3	Use of a certificate relating to ships' stores

26 Penalties

- (1) A person guilty of an offence of disclosure in breach of article 25(3) (disclosure of information) is liable –

¹² SI 2011/1197

¹³ 2018 c.22 (of Parliament) as applied to the Island by SD 2019/0080.

- (a) on summary conviction, to a fine not exceeding level 5 on the standard scale, to imprisonment not exceeding 3 months, or to both;
 - (b) on conviction on information, to imprisonment for a term not exceeding 2 years, to a fine or to both.
- (2) A person guilty of any other offence under this Order is liable on summary conviction to a fine not exceeding level 5 on the standard scale or, on conviction on indictment, to a fine.

27 Disapplication of provisions

The provisions of the legislation listed in column 1 of Schedule 3 shall not apply to the extent specified in column 2 of Schedule 3.

28 Revocation

The Trade in Animal and Related Products Order 2016¹⁴ is revoked.

MADE 12 NOVEMBER 2020

¹⁴ SD 2016/0358

SCHEDULE 1

[Article 15]

ADDITIONAL PROVISIONS RELATING TO IMPORTS FROM THIRD COUNTRIES**1 Arrival at premises of destination**

- (1) This paragraph applies to elephants and to cattle, pigs, sheep, goats and all other animals of the taxa Artiodactyla, and their crossbreeds.
- (2) Animals intended for immediate slaughter must be conveyed without delay from the place of arrival in the Isle of Man to the slaughterhouse of destination and slaughtered within 5 working days.
- (3) In any other case the animals must be taken without delay from the place of arrival on the Isle of Man to the holding of destination and kept there for at least 30 days (unless consigned from the holding direct to a slaughterhouse).

2 Imported birds

- (1) The Department is the competent authority for Commission Regulation (EC) No. 139/2013 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof¹⁵.
- (2) An importer must comply with Article 7 (transport of birds) of that Regulation.
- (3) No person may release a bird from quarantine except in accordance with Article 16 (release of birds) of that Regulation.

3 Ship supply

- (1) A product that does not comply with import requirements and is sent from a place of first arrival in the Isle of Man to a ship must be accompanied by the relevant health certificate relating to that product, and the master of the vessel must confirm delivery of the product by signing a certificate which must accompany the consignment to its place of destination.
- (2) Within 15 days of completion of delivery of products on board the vessel, the operator responsible for the delivery, or the representative of the master of the vessel, must send the official certificate signed by the master of the vessel (or send by electronic means and systems) to the Department.

¹⁵ OJ L 47, 20.2.2013, p. 1

SCHEDULE 2

[Article 16]

CASES TO WHICH PART 2 DOES NOT APPLY**1 Disapplication of Part 2**

Part 2 (importation from a third country) of this Order does not apply in the cases set out in this Schedule.

2 Case 1: Personal imports and small consignments

Products referred to in Article 7 and Article 10 of Commission Delegated Regulation (EU) 2019/2122¹⁶.

3 Case 2: International means of transport

Products on board means of transport operating internationally that are intended for consumption by the crew and passengers and that are either –

- (a) not unloaded;
- (b) transferred directly from one means of transport operating internationally to another at the same port and under customs supervision; or
- (c) destroyed as soon as they are unloaded.

4 Case 3: Research and diagnostic samples

Research and diagnostic samples as defined in point (38) of Annex 1 to Commission Regulation (EU) No 142/2011 are exempt from veterinary checks at the border control post, provided that they have been authorised in advance by the Department and the consignment is sent directly from the point of entry to the authorised user.

5 Case 4: Composite products

- (1) Composite products and foodstuffs listed in Annex II to Commission Decision 2007/275/EC.
- (2) Composite products not containing meat or meat products, where less than half of the product is processed product of animal origin, provided that such products are –
 - (a) shelf-stable at ambient temperature or have clearly undergone, in their manufacture, a complete cooking or heat treatment process throughout their substance, so that any raw product is denatured;

¹⁶ OJ L 321, 12.12.2019, p. 45.

- (b) clearly identified as intended for human consumption;
- (c) securely packaged or sealed in clean containers; and
- (d) accompanied by a commercial document and labelled in English (whether or not it also appears in other languages) so that the document and labelling together give information on the nature, quality and number of packages of the composite products, the country of origin, the manufacturer and the ingredients.

6 Case 5: Animals subject to rabies control

Animals specified in the Schedule to the Rabies (Importation of Dogs, Cats and Other Mammals) Order 2016¹⁷ and imported in accordance with a licence under that Order.

¹⁷ SD 2016/0360

SCHEDULE 3

[Article 28]

LEGISLATION WHICH DOES NOT APPLY

Title	Extent
Rabies (Importation of Dogs, Cats and Other Mammals) Order 2016	The Order shall continue to apply to all carnivores, primates and bats and it shall continue to apply to the importation of all other animals unless such animals are imported by way of trade and can be shown to have been born on the holding of origin and kept in captivity since birth.
Animals (Importation) Order 1988 ¹⁸	Articles 3 to 9 and 11, except that article 3 shall continue to apply to ruminating animals and swine other than animals which are the subject of Council Directives 64/432/EC ¹⁹ and 91/68/EEC ²⁰ .
Importation of Embryos, Ova and Semen (Prohibition) Order 1980 ²¹	The whole Order except that article 4 shall continue to apply to embryos, ova and semen (as defined in the Order) other than – (a) bovine embryos which are the subject of Council Directive 88/407/EEC ²² ; (b) bovine embryos which are the subject of Council Directive 89/556/EEC ²³ ; (c) porcine semen which is the subject of Council Directive 90/429/EEC ²⁴ ; (d) equine semen, ova and embryos which are the subject of Commission Decision 2010/471/EU ²⁵

¹⁸ GC 97/88¹⁹ OJ L 121, 29.7.1964, p. 1977.²⁰ OJ L 46, 19.2.1991, p. 19.²¹ GC 255/80²² OJ L 194, 22.7.1988, p. 10.²³ OJ L 302, 19.10.1989, p. 1.²⁴ OJ L 224, 18.8.1990, p. 62.²⁵ OJ L 228, 31.8.2010, p. 52.

ENDNOTES

Table of Endnote References

¹ The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.