
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 1

**The Products of Animal Origin (Third
Country Imports) (Scotland) Regulations 2007**

PART 1

Introduction

Exemption for authorised products and personal imports

4.—(1) Parts 3 to 9 do not apply to products brought into Scotland from a third country with the previous authorisation of the Scottish Ministers as trade samples, for exhibition, or for particular studies or analyses.

(2) The Scottish Ministers' authorisation—

- (a) must be in writing;
- (b) must in the case of products brought in—
 - (i) as trade samples or for exhibition, be made subject to a condition that they must not be marketed; and
 - (ii) for particular studies or analyses, be made subject to a condition that they must not be supplied for human consumption;
- (c) may be made subject to such other conditions (if any) as they consider necessary for the protection of public or animal health; and
- (d) may be amended, suspended or revoked in writing at any time.

(3) No person may—

- (a) use a product to which the exemption in paragraph (1) applies for any purpose for which it has not been authorised, or contravene any condition referred to in paragraph (2)(b); or
- (b) contravene any other condition of the Scottish Ministers' authorisation in relation to such a product.

(4) In the case of products brought in for exhibition or studies and any quantities of products brought in for analyses that remain following those analyses, the person who brought them in must as soon as possible when the exhibition, studies or analyses have finished, and in accordance with any conditions specified in the Scottish Ministers' authorisation—

- (a) redispach them to a third country; or
- (b) dispose of them in accordance with Regulation (EC) No. 1774/2002 and the Animal By-Products (Scotland) Regulations 2003(1).

(5) Where an authorised officer considers that there has been a breach of paragraph (3)(a) or (4) in relation to a product, the officer must by notice in writing served on the person appearing to have charge of that product, take charge of it and either—

(1) S.S.I. 2003/411.

- (a) redispach it to a destination, agreed with the person who brought it in, located in a third country within a period of sixty days commencing with the day following the service of the notice; or
 - (b) dispose of it as if it were Category 1 material under Regulation (EC) No. 1774/2002 in the facilities provided for that purpose nearest to the place at which the authorised officer takes charge of it.
- (6) Where an authorised officer considers that there has been a breach of paragraph (3)(b) in relation to a product, the officer may by notice in writing served on the person appearing to have charge of that product, take charge of it and take either of the steps specified in paragraph (5)(a) and (b).
- (7) Part 3, with the exception of regulation 25, and Parts 4 to 9 do not apply to–
- (a) powdered infant milk, infant food, or special foods required for medical reasons containing meat, meat products, milk or milk products from a third country if–
 - (i) they form part of a traveller’s personal luggage and are intended for the traveller’s personal consumption or use;
 - (ii) they do not exceed in quantity that which could reasonably be consumed by an individual;
 - (iii) they do not require refrigeration before opening;
 - (iv) they are packaged proprietary brand products for direct sale to the final consumer; and
 - (v) their packaging is unbroken, unless they are in current use;
 - (b) meat, meat products, milk or milk products from the Faroe Islands, Greenland, the Republic of Iceland, Liechtenstein, or Switzerland if–
 - (i) they form part of a traveller’s personal luggage, or are sent by post or carrier (otherwise than by way of trade or as a trade sample) and are addressed to a private individual in Scotland;
 - (ii) they are intended for the personal consumption of the traveller or the addressee, as the case may be; and
 - (iii) their combined total weight in any traveller’s personal luggage or in any consignment sent by post or carrier to a private individual does not exceed 5 kilograms; or
 - (c) products in the personal luggage of a traveller if they are intended for the traveller’s personal consumption or which are sent by post or carrier (otherwise than by way of trade or as a trade sample) and addressed to a private individual in Scotland, if they are intended for that individual’s personal consumption, and if they–
 - (i) are not meat, meat products, milk or milk products;
 - (ii) do not exceed one kilogram in weight;
 - (iii) come from a third country or part of a third country from which their importation is permitted in accordance with a list drawn up by an instrument in Schedule 1; and
 - (iv) do not come from a third country or part of a third country from which their importation is prohibited by any instrument in Schedule 1.
- (8) In this regulation “meat”, “meat products”, “milk” and “milk products” mean products of those types listed in sections 01 – 04 under the heading I.2, Title I in the Annex to Commission Decision [2002/349/EC](#).