



Jersey

# **ANIMAL HEALTH (IMPORTATION OF MISCELLANEOUS GOODS AND ANIMALS) (JERSEY) ORDER 2017**

## **Official Consolidated Version**

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Jersey

# **ANIMAL HEALTH (IMPORTATION OF MISCELLANEOUS GOODS AND ANIMALS) (JERSEY) ORDER 2017**

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Jersey

## ANIMAL HEALTH (IMPORTATION OF MISCELLANEOUS GOODS AND ANIMALS) (JERSEY) ORDER 2017

**THE MINISTER FOR THE ENVIRONMENT**, in pursuance of Articles 7(1) and 32(2) of the [Animal Health \(Jersey\) Law 2016](#), orders as follows –

Commencement [[see endnotes](#)]

### 1 Interpretation<sup>1</sup>

In this Order, unless the context otherwise requires –

“animal or item” means an animal or item indicated in the second column of the table in the Schedule;

“member state” means a member State of the European Union;

“Official Controls Regulation” means Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 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 products (OJ L 95, 7.4.2017, p. 1).

### 2 Regulation of imports

- (1) Subject to this Order and despite anything to the contrary in the [Diseases of Animals \(Rabies\) \(Importation of Mammals\) \(Jersey\) Order 2011](#), a person must not import into Jersey any animal or item indicated in the second column of the table in the Schedule from one or more countries indicated opposite in the third column of that table unless –
  - (a) the importation is within the exception specified opposite in the fourth column of that table; or
  - (b) the person is authorized to make the importation by a licence granted by the Minister.
- (2) A licence under this Order may –
  - (a) relate to any one animal or item that falls within a prohibition in the Schedule, or to more than one such animal or item;
  - (b) be granted to a particular person, to persons of a class or to all persons; and

- (c) be granted subject to conditions specified in the licence or unconditionally.
- (3) This Order does not limit the need to comply with the requirements of any other enactment that regulates the importation into Jersey of any animal or item.

### 3 Provision as to licences

- (1) If –
  - (a) a person makes an importation under the authority of a licence under this Order (whether or not the person is named in the licence); and
  - (b) the importation is not within the relevant exception (if any) specified in the fourth column of the table in the Schedule,the person must comply with any conditions to which the licence is subject.
- (2) A licence granted under this Article may be revoked, suspended or varied at any time by the Minister.
- (3) The Minister must publish on a website maintained by the States of Jersey any licence granted under this Order that applies to all persons.

### 4 Enforcement

- (1) For the purpose of ensuring that the requirements of this Order, or any licence granted under this Order, are complied with an inspector may –
  - (a) stop any person or vehicle; and
  - (b) carry out any search, check or inspection.
- (2) A person searching a person under this Article may not require a person to remove any of his or her clothing other than an outer coat, jacket, headgear, gloves and footwear.
- (3) A search of a person under this Order must be carried out by someone of the same sex.
- (4) An inspector may seize, or cause to be seized any animal or item that there is reason to believe has been landed in Jersey in contravention of this Order or any licence granted under this Order.
- (5) If an animal has been seized under paragraph (4), an inspector may, without affecting any proceedings arising from any such contravention, and subject to such conditions as the inspector thinks fit –
  - (a) move the animal, or cause it to be moved, to such premises for such period as the inspector may direct; or
  - (b) export it from Jersey, or cause it to be exported.
- (6) The owner of an animal or item is liable for the cost of any action taken by an inspector under paragraph (4) or (5).
- (7) The Minister may arrange for the disposal of any animal or item landed in Jersey in contravention of this Order, or a licence granted under this Order, and may recover any expenses reasonably incurred in so doing from the owner of the animal or item as debt due to the Minister.
- (8) This Article does not limit any power conferred on an inspector under the [Animal Health \(Jersey\) Law 2016](#).

- (9) Nothing in this Article affects the powers of the officers of the Impôts to seize or detain as liable to forfeiture under the [Customs and Excise \(Jersey\) Law 1999](#) an animal or item landed in Jersey in contravention of this Order or to institute legal proceedings under that Law in respect of such contravention.

## **5 Saving**

Any licence granted under the Diseases of Animals (Importation of Miscellaneous Goods and Animals) (Jersey) Order 2012 that is still in force at the commencement of this Order is treated as having been granted under this Order.

## **6 Citation**

This Order may be cited as the Animal Health (Importation of Miscellaneous Goods and Animals) (Jersey) Order 2017.

**SCHEDULE<sup>2</sup>**

(Article 2)

**PROHIBITIONS**

<b>Prohibition Number</b>	<b>Animal or item</b>	<b>Country of origin</b>	<b>Exceptions</b>
1	Hay, straw, reed, grass meal and cubes and mixtures containing grass meal.	All countries, excluding member states, Liechtenstein, Switzerland, Iceland, Norway and the British Islands.	
2	Fertilizers of any description.	All countries excluding member states, Liechtenstein, Switzerland, Iceland, Norway and the British Islands.	
3	Peat of any description, moss litter and leaf mould.	All countries excluding member states, Liechtenstein, Switzerland, Iceland, Norway and the British Islands.	
4	A live animal, or an animal product, that is subject to harmonized health rules, within the meaning of the <a href="#">EU Legislation (Veterinary and Zootechnical Checks – Trade with Member States) (Jersey) Regulations 2016</a> , other than Bovidae and animals mentioned in prohibition Number 5.	All member states, Liechtenstein, Switzerland and Norway.	<p>This prohibition does not apply to the importation of a live animal or an animal product –</p> <p>(a) that is imported from a member State in compliance with the <a href="#">EU Legislation (Veterinary and Zootechnical Checks – Trade with Member States) (Jersey) Regulations 2016</a>; or</p> <p>(b) that originated outside the Community area and is imported in compliance with those Regulations, pursuant to Regulation 5(2) of the <a href="#">EU Legislation (Veterinary Checks – Imports from Third Countries) (Jersey) Regulations 2016</a>.</p>

Prohibition Number	Animal or item	Country of origin	Exceptions
5	Antilocapridae, Camelidae, Caprinae, Cervidae, Elephantidae, Giraffidae, Hippopotamidae, Rhinocerotidae, Suidae, Tayassuidae and Tragulidae.	All countries.	
6	Semen, ova and embryos of Bovidae and of animals mentioned in prohibition Number 5.	All countries.	
7	Badger.	All countries.	
8	Coypu.	All countries.	
9	Fox.	All countries.	
10	Grey Squirrel.	All countries.	
11	Mink.	All countries.	
12	Muskrat.	All countries.	
13	Live lobsters of the species <i>Homarus americanus</i> .	All countries.	
14	Reptiles.	All countries.	
15	Amphibians.	All countries.	
16	Rawhide.	All countries excluding member states, Liechtenstein, Switzerland, Iceland, Norway and the British Islands.	
17	Unboiled fats.	All countries excluding member states, Liechtenstein, Switzerland, Iceland, Norway and the British Islands.	
18	All feeding stuffs containing protein originating from animals.	All countries.	This prohibition shall not apply to – (a) milk and milk products; (b) dicalcium bone phosphate;

Prohibition Number	Animal or item	Country of origin	Exceptions
			(c) dog biscuits and similar manufactured dog foods containing bone meal or meat meal.
19	All products of animal origin as defined in Article 3 of the Official Controls Regulation.	All countries excluding member states, the British Islands, Liechtenstein, Switzerland, Norway, Andorra, San Marino, and, in respect of personal consignments of fishery products only, the Faroe Islands and Iceland.	The prohibition does not apply to the extent that such products are not subject to controls by virtue of – (a) Article 48 of the Official Controls Regulation; and (b) Commission Delegated Regulation (EU) 2019/2122 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council (OJ L 321, 12.12.19, p. 45).
20	Horses.	All countries except the British Islands.	
21	Aquaculture animals within the meaning of the <a href="#">EU Legislation (Aquatic Animal Health) (Jersey) Regulations 2016</a> .	All countries.	
22	Porcine products, consisting in whole or in part, of a body of a pig or derived from a pig – (a) products of animal origin; (b) animal by-products; (c) derived products, which are products obtained from one or more treatments, transformations or steps in the processing of animal by-products.	All countries excluding the British Islands.	This prohibition does not apply to – (a) porcine products intended for human consumption which are imported from a member state, Iceland, Liechtenstein, Norway, the Faroe Islands, Greenland or Switzerland – (i) with a health mark within the meaning given in Article 3(51) of the Official Controls Regulation, as that Regulation has effect in EU legislation, or (ii) with an identification mark applied in accordance with Article 5 of, and Section 1 of Annex 2 to Regulation (EC) No 853/2004 of the



Prohibition Number	Animal or item	Country of origin	Exceptions
			<p>European Parliament and of the Council laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004, p. 55), as that Regulation has effect in EU legislation;</p> <p>(b) porcine products not intended for human consumption which are imported from a member state, Iceland, Liechtenstein, Norway, the Faroe Islands, Greenland or Switzerland and either –</p> <p>(i) packaged in accordance with Article 23(1) of Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and the use of feed (OJ L 229, 1.9.2009 p. 1), as it has effect in EU legislation, and including on the package the name and address of the feed business operator responsible for its labelling under Article 12(2) of that Regulation, or</p> <p>(ii) have a label attached to the packaging, container or vehicle, describing the product and stating to which category of animal by-products it belongs, as set out in Articles 8 to 10 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption, (OJ L 300, 14.11.2009 p. 1), as that Regulation has</p>

<b>Prohibition Number</b>	<b>Animal or item</b>	<b>Country of origin</b>	<b>Exceptions</b>
			effect in EU legislation.
23	Personal consignments of porcine products intended for human consumption exceeding 2 kilogrammes.	All countries excluding the British Islands.	
24	Personal consignments of porcine products that are animal by-products and not intended for human consumption exceeding 2 kilogrammes.	All countries excluding the British Islands.	

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Animal Health (Importation of Miscellaneous Goods and Animals) (Jersey) Order 2017	<a href="#">R&amp;O.11/2017</a>	1 February 2017
Animal Health and Welfare (EU – Miscellaneous Amendments) (Jersey) Order 2019	<a href="#">R&amp;O.106/2019</a>	22 October 2019
EU Legislation (Official Controls) (Jersey) Regulations 2020	<a href="#">R&amp;O.156/2020</a>	8 December 2020
Animal Health (EU and Miscellaneous Amendments) (Jersey) Order 2021	<a href="#">R&amp;O.8/2021</a>	28 January 2021
Animal Health (Importation of Pork and Porcine Products – Amendment) (Jersey) Order 2022	<a href="#">R&amp;O.97/2022</a>	18 November 2022

### Table of Renumbered Provisions

Original	Current
6	Spent, omitted
7	6

### Table of Endnote References

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- <sup>1</sup> *Article 1*                      amended by R&O.156/2020
- <sup>2</sup> *Schedule*                     amended by R&O.106/2019, R&O.156/2020, R&O.8/2021, R&O.97/2022