



STATUTORY INSTRUMENT

No 4 of 2022

The Import (Control) (Alderney) (Amendment No 2) Order, 2022

<i>Made</i>	<i>14 November 2022</i>
<i>Coming into force</i>	<i>15 November 2022</i>

THE STATES OF ALDERNEY POLICY AND FINANCE COMMITTEE, in exercise of the powers conferred on it by article 1 of the Import and Export (Control) (Alderney) Law, 1946^a and of all other powers enabling it in that behalf, hereby makes the following order:-

Amendments to Order of 2010.

1. The Import (Control) (Alderney) Order, 2010^b ("**the principal Order**") is amended as follows.

2. Immediately after Schedule 7 of the principal Order, insert the schedule set out in the Schedule to this Order.

Citation.

3. This Order may be cited as the Import (Control) (Alderney) (Amendment No. 2) Order, 2022.

^a Ordres en Conseil Vol. XII, p. 367; this enactment has been amended.

^b A.S.I. No. 3 of 2010; this enactment has been amended.

Commencement.

4. This Order shall come into force on the 15th November, 2022.

Dated this 14th day of November, 2022

Ian Carter
Chairman of the Policy & Finance Committee
For and on behalf of the Committee

SCHEDULE

Article 2

SCHEDULE TO BE INSERTED IN THE IMPORT (CONTROL) (ALDERNEY) ORDER, 2010

"SCHEDULE 7A

Article 1(1)(a)

GOODS THAT CANNOT BE IMPORTED WITHOUT A LICENCE

Porcine products from specified countries and territories

1. Subject to the exceptions in paragraphs 2 to 5, any porcine product, where imported from a territory subject to special transitional import arrangements.

2. A person registered to operate a food business under the European Communities (Food and Feed Controls) (Alderney) Ordinance, 2019 may import any food if it -
 - (a) is imported in the course of the food business for which the person is registered,
 - (b) is imported in a sealed package, and
 - (c) except in the case of a gelatine product, bears a health mark or an identification mark (either on the food itself or on its packaging), and the mark is clearly visible through any packaging.

3. A person registered to operate a feed business under the European Communities (Food and Feed Controls) (Alderney) Ordinance, 2019 may import any feed if it -
 - (a) is imported in the course of the feed business for which the person is registered, and
 - (b) is packaged in accordance with Article 23(1) of Regulation 767/2009, and includes on the package the name and address of the feed business operator responsible for its labelling under Article 12(2) of that Regulation.

4. A person may import any food if it -
 - (a) is imported solely for the person's personal consumption,
 - (b) is imported in a sealed package,

- (c) except in the case of a gelatine product, bears a health mark or an identification mark (either on the food itself or on its packaging), and the mark is clearly visible through any packaging, and
 - (d) does not exceed 2 kgs in quantity, in aggregate with all other porcine products that are food imported by the person on the occasion on which, or in the consignment in which, the food concerned is imported.
5. A person may import any feed if it –
- (a) is imported solely for the consumption of an animal kept by the person or a member of the person's family,
 - (b) is packaged in accordance with Article 23(1) of Regulation 767/2009, and includes on the package the name and address of the feed business operator responsible for its labelling under Article 12(2) of that Regulation, and
 - (c) does not exceed 2 kgs in quantity, in aggregate with all other porcine products that are feed imported by the person on the occasion on which, or in the consignment in which, the feed concerned is imported.

Interpretation.

In this Schedule -

"**animal by-products**" means entire bodies or parts of animals, products of animal origin or other products obtained from animals, which are not intended for human consumption, excluding germinal products,

"**category of animal by-products**" means the appropriate category 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, as it has effect in EU law,

"**derived products**" means products obtained from one or more treatments, transformations or steps in the processing of animal by-products,

"**EU law**" means the law of the European Union,

"**feed**" has the meaning given by Article 3(4) of Regulation 178/2002,

"**food**" has the meaning given by Article 2 of Regulation 178/2002,

"**gelatine product**" means any food that is a porcine product by reason only that it is or contains gelatine,

"**health mark**" has the meaning given in Article 3(51) of the Regulation (EU) No 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 products(2), as it has effect in EU law,

"**identification mark**" means a mark applied in accordance with Article 5 of, and Section 1 of Annex 2 to, Regulation 853/2004,

"**personal consumption**", in relation to a person, means consumption by the person or a member of the person's family,

"**pig**" means any animal of the *Suidae* family,

"**porcine product**" means any food or feed that –

- (a) is any of the following –
 - (i) a product of animal origin,
 - (ii) an animal by-product, or
 - (iii) a derived product, and

consists in whole or in part of a body of a pig, or is derived from a pig, or

- (b) is or contains gelatine, whether or not the gelatine falls within paragraph (a),

"products of animal origin" has the meaning given in point 8.1 of Annex 1 to Regulation 853/2004,

"Regulation 178/2002" means Regulation (EC) No. 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, as it has effect in EU law,

"Regulation 767/2009" means Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed, as it has effect in EU law,

"Regulation 853/2004" means Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin, as it has effect in EU law,

"sealed package", in relation to a porcine product, means a package sealed by the manufacturer of the porcine product, and

"territory subject to special transitional import arrangements" means -

- (a) an European Economic Area state,
- (b) the Faroe Islands,
- (c) Greenland, or
- (d) Switzerland."

EXPLANATORY NOTE

(This note is not part of this Order)

This Order amends the Import (Control) (Alderney) Order, 2010 to prohibit the importation of porcine products from certain countries and territories, subject to a few exceptions.

This Order comes into force on the 15th November, 2022.

DAVID KNIGHT
Alderney Greffier

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