



ANIMALS IMPORTATION REGULATIONS 1995

A.P. Short

Queen's Representative

ORDER IN EXECUTIVE COUNCIL

At Avarua, Rarotonga, this 18th day of December 1995

Present:

HIS EXCELLENCY THE QUEEN'S REPRESENTATIVE
IN EXECUTIVE COUNCIL

PURSUANT Section 13 of the Animals Act 1975, the Queen's Representative, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations:

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REGULATIONS

1. Title - (1) These regulations shall be cited as the Animals Importation Regulations 1995.

2. Interpretation - (1) In these regulations, unless the context otherwise requires -

"Act" means the Animals Act 1975;

"Bee appliance" means any hive, bee-comb, extractor or other appliance that has been used with bees;

"Bee product" includes honey, honey dew, beeswax, bee venom, propolis, pollen, or royal jelly; and includes any other product collected by bees or derived from bees or bee product;

"Biological control agent" means any beneficial insect, nematode, micro-organism or pathogen that the Secretary may declare by notice published in the Cook Islands Gazette as a biological control agent;

"Owner" means the consignee of any animal, ostrich or camelid imported into the Cook Islands;

"Permit to import" means a permit to be prescribed by the Secretary, authorising the importation of any animal or animal product into the Cook Islands.

"Secretary" means the Secretary for Agriculture;

"Source country" means any country designated by the Minister by notice in the Gazette to be a source country.

(2) Unless the context otherwise requires, terms and expressions used shall have the same meaning as in the Animals Act 1975.

PART I
IMPORTATION OF ANIMALS

3. Imported animals to be landed only at Rarotonga - (1) No person shall import any animal into the Cook Islands except at the Ports of Avarua and Avatiu or the Rarotonga International Airport, unless otherwise directed in writing by the Secretary.

(2) Notwithstanding subclause (1) of this regulation the Secretary may direct in writing at any time that an animal or animals must be imported through islands of the Cook Islands other than Rarotonga.

(3) Any animal imported into the Cook Islands may be detained under surveillance, or held in quarantine, for a period of 30 days or such other period as the Secretary may direct.

(4) While any animal is so detained, or quarantined no person shall move it from the area in which the animal has been detained or quarantined.

(5) During the period the animal is detained, or quarantined the Secretary may direct that that animal or animals undergo any diagnostic or other test at the discretion of the Secretary.

4. Importation of animals - (1) A permit to import any animal into the Cook Islands may be issued only in respect of the animals specified in the Schedule to these regulations, and may be issued only in respect of animals imported from those countries specified in that Schedule.

(2) Notwithstanding subclause (1) of this regulation, the Secretary may permit the introduction of any animal from any country not specified in the Schedule to these regulations provided that any such permission must be in writing.

(3) Any person intending to import any animal permitted under these regulations shall first obtain a permit to do so from the Secretary.

(4) Before shipment of any animal or animals to the Cook Islands, every owner must ensure that every animal in respect of which a permit to import has been granted fully complies with all requirements the Secretary may impose.

(5) Should any animal or animals in respect of which those requirements have not been met arrive in the Cook Islands then immediately upon their arrival in the Cook Islands an Inspector or the Secretary, or any person authorised by the Secretary may refuse permission to land the animal or he may seize the animal as an illegal importation.

5. Importation for research purposes - Notwithstanding regulation 4 of these regulations, the Secretary may import any animal not included in the Schedule to these regulations for research purposes, but in no case shall he import or permit the importation of any animal prohibited under section 7 of the Act.

PART II IMPORTATION OF MEAT AND MEAT PRODUCTS

6. Importation of meat - (1) Notwithstanding regulation 3 of these regulations, fresh (chilled or frozen) beef, mutton, or lamb may be imported from Australia, New Zealand, Fiji or the United States of America without a permit to import, provided it is accompanied by a statutory declaration or veterinary certificate that it is derived from animals killed for human consumption in a plant under Government supervision.

(2) Frozen poultry may be imported only from Australia, Fiji, New Zealand or the United States of America, and must be accompanied by a statutory declaration or veterinary certificate that the animals have been killed in an export killing plant where the poultry are subjected to ante-mortem and post-mortem inspection.

(3) Pig meat (fresh or cured) may be imported only from Australia, Canada, or New Zealand, and must be accompanied by a statutory declaration or veterinary certificate that the animals have been killed in an export killing plant where the animals are subjected to ante-mortem and post-mortem inspection and that the swine from which those pig meats are derived have come from properties which have been shown by test to be free of Aujeszky's disease.

(4) No person shall import the cooked meat of any animal unless it is contained in a hermetically sealed container and subject to the following condition:

- (a) each container in the consignment shall show -
 - (i) the name and full postal address of the manufacturer or packer; and
 - (ii) the country of origin; and
 - (iii) the nature of the product;
- (b) the product must be able to be imported and stored at normal ambient temperature;

- (c) every consignment of such cooked meat shall be accompanied by a declaration by the manufacturer or packer of the cooked meat setting out and verifying that, in the course manufacture or packing, every portion of the contents of the containers has been heated to a temperature of not less than 100 degrees Celsius and held at that temperature for minimum of 20 minutes, and also declaring that the cooked meat is derived from animals subjected to ante-mortem and post-mortem inspection, and was passed fit for human consumption.

(5) The provisions of subclause (3) of this regulation shall not apply to any meat imported and stored under refrigeration.

(6) Meat which has been preserved by chemical means, salting, drying, oiling, pasteurisation, or accelerated freeze drying methods may be imported without a permit only from Australia and New Zealand.

(7) Notwithstanding the provision of subclause (4) of this regulation, animal products may be imported from any country with the prior written permission of the Secretary and subject to the following conditions:

- (a) that the animal products were derived from animals killed and passed fit for human consumption; and
- (b) that the package or container is labelled in such a manner as to show -
- (i) the name and address of the manufacturer or packer; and
 - (ii) the country of origin of the produce; and
 - (iii) the nature of the product.

7. Prohibition against rejected meat - No person shall import any meat from any country which has been rejected or refused entry for reasons of quarantine or public health and if such meat is imported an Inspector may refuse entry of such meat or may seize it as an illegal importation.

PART III

IMPORTATION OF OSTRICHES AND CAMELIDS

8. Importation of ostriches and camelids - (1) No person shall import into the Cook Islands any ostrich or camelid from any country other than a source country, and except in accordance with a permit to import.

(2) Every ostrich or camelid imported into the Cook Islands shall be accompanied by -

- (a) a declaration in a form approved by the Secretary, and containing such information as the Secretary may direct in respect of each animal imported, signed by the owner and endorsed as to its correctness by a veterinarian of the Government of the source country; and
- (b) an animal health certificate in a form approved by a veterinary health officer of the Ministry of Agriculture and containing such information and certification as he may require, in respect of each animal imported, signed by a veterinarian of the Government of the source country and endorsed as to its correctness by another veterinarian of the Government of the source country.

(c) such laboratory test report as an inspector may require for each ostrich or camelid imported.

(3) The importation of ostriches and camelids into the Cook Islands shall be subject to each and every term and condition set out in the permit to import, declaration and health certificate, and the approval by an inspector of the laboratory report in respect of each ostrich and camelid.

(4) It shall be a condition of every permit that every ostrich or camelid to be imported into the Cook Islands shall undergo such quarantine, tests and treatment as are referred to in the declaration and the health certificate.

9. Port of Entry - (1) No person shall import any ostrich or camelid into the Cook Islands except at the Rarotonga International Airport unless otherwise directed in writing by the Secretary.

(2) Upon importation to the Cook Islands every ostrich or camelid shall be trans-shipped as soon as reasonably practicable to the island of Mangaia or such other place or island as the Secretary may direct in writing and pending such trans-shipment shall be contained in a transshipment area designated by an inspector and erected at the cost of the owner.

10. Transport - (1) Ostriches or camelids to be exported to the Cook Islands shall -

- (a) within the source country be transported to the port of departure by the most direct route; and
- (b) be consigned from the source country to the Cook Islands by the most direct route without being trans-shipped enroute; and
- (c) not while in transit, (whether within the source country or enroute to the Cook Islands) be accompanied by any other bird or ostrich or camelid that is not of tested equivalent health status.

(2) Every container and every vehicle (including aircraft) used to transport ostriches or camelids to or within the Cook Islands shall before such transportation be cleaned and disinfected with an agent approved by an inspector.

(3) Every container used in the transportation of ostriches or camelids from the port of departure in the source country to the Cook Islands shall be as prescribed by the IATA Live Animals Regulations 1992 and shall be new or unused.

11. Protocol for importation to be strictly observed - The Secretary may from time to time by notice in the Gazette establish a written protocol prescribing the terms and conditions upon which a permit to import ostriches or camelids may be granted.

PART IV PROHIBITION AGAINST BIOLOGICAL CONTROL AGENTS

12. Prohibition against introducing biological control agents - No person shall introduce into the Cook Islands any biological control agent.

13. Secretary may import biological agents - The Secretary may import any insect or nematode for biological control purposes under these regulations after due investigation and evaluation of the benefits of such biological control agents to the Cook Islands.

(2) Every introduction of any biological control agent shall be in compliance with such conditions as the Secretary thinks fit.

PART IV
INTRODUCTION OF BEE PRODUCTS

14. Introduction of bee products restricted - (1) No person shall import any bee product into the Cook Islands except from New Zealand.

(2) Every bee product so imported shall be from apiaries inspected during the previous two years which were found free from American foul brood (*Bacillus larvae*), or European foul brood (*Streptococcus pluton*), or any other bee disease that the Secretary may specify by notice published in the Cook Islands Gazettee.

(3) Every consignment of bee products shall be accompanied by a veterinary certificate or statutory declaration certifying as to subclause 2 of this regulation.

15. Introduction for pharmaceutical purposes - Notwithstanding regulation 14 of these regulations the importation of bee products for pharmaceutical purposes shall be exempted from the requirements of these regulations provided individual packages containing these bee products shall not be more than 200 grams gross weight.

16. Introduction of bee appliances - (1) No person shall introduce into the Cook Islands any bee appliance that has been used previously with bee-keeping unless it is new, unused or has been sterilised to the satisfaction of an Inspector.

(2) If in the opinion of the Inspector an appliance is contaminated and cannot be effectively treated to eradicate disease the appliance shall be re-shipped, destroyed or otherwise disposed of as the Inspector may direct, at the expense of the importer.

17. Introduction of live vaccines prohibited - (1) No person shall import into the Cook islands any live vaccine for administration to animals.

(2) Notwithstanding the provision of subclause (1) of this regulation, the Secretary may import such vaccines when he thinks fit.

PART V
MISCELLANEOUS

18. Transitional - Notwithstanding these regulations, any permit to import, licence or authorisation validly issued or granted before the coming into force of these regulations shall remain in force according to its tenor as if it were issued or granted pursuant to these regulations.

19. Revocation - The Animals Importation Regulations 1982 and the Animals Importation (Ostrich) Regulations 1994 are hereby revoked.

M. Taruia
Clerk of the Executive Council

SCHEDULE
ANIMALS PERMITTED ENTRY INTO THE COOK ISLANDS

Reg. 4 (1)

<u>Type of Animal</u>	<u>Country or Place from which Animals may be imported</u>
Aviary Birds	Australia, Fiji, New Zealand
Bees	New Zealand
Bovine and porcine semen	Australia, Canada, New Zealand
Cattle	New Zealand
Dogs	Australia, Fiji, New Zealand
Goats	Australia, Fiji, New Zealand
Horses	Australia, Fiji, New Zealand
Poultry (including eggs)	Australia, Fiji, New Zealand
Rabbits	New Zealand
Swine	Australia, Canada, New Zealand

