

SENDING GOODS TO OTHER EU MEMBER STATES FROM IRELAND

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GENERAL INFORMATION

The following products are subject to prohibitions or restrictions on movement from Ireland to other EU Member States.

ANIMALS AND BIRDS

Live Animals and Birds

- **Cattle, swine** - Council Directive 64/432/EEC;
- **Equidae** - Council Directive 90/426/EEC;
- **Live poultry and hatching eggs** - Council Directive 90/539/EEC;
- **Sheep and goats** - Council Directive 91/69/EEC;
- **Pigeons** - Live
- **Bees** - Council Directive 92/65/EC
- **Fish** - Council Directive 2006/88/EC

These are prohibited on movement to places other than Northern Ireland, except under licence issued by the Minister for Agriculture Food and the Marine (Live Pigeons (Prohibition of Export) Order, 1971)(S.I. No. 138 of 1971).

ANIMAL PRODUCTS

Trade in food products of animal origin

Under the single market trade in products of animal origin is permitted on the basis that harmonised controls have been applied to their production, processing and trade under the EU's Hygiene of Food Regulations (EC) No 178/2002.

Thus, for the purposes of trade, animal products must have been produced in an EU approved Food Business Operation (FBO) and bear an EU health mark. Traceability is an important element in food safety. Products moving in intra-community trade must be appropriately transported and accompanied by a commercial document containing information as to the establishment of origin together with its approval number and details of the food products being consigned as well as the FBO establishments of dispatch and destination. Food products of animal origin imported from non-EU countries that have undergone veterinary checks at an approved EU Border Inspection Post are required to move to the first destination FBO accompanied by the CVED (Common Veterinary Entry Document) issued and endorsed by the BIP. These conditions have been set down to protect animal health and public health.

Prohibitions and restrictions (Safeguard Measures)

These may be invoked where a risk for animal or public health in trade in animal products arises. Under Community animal and public health Regulations safeguard measures will be applied restricting trade and import at short notice to deal with an emerging risk and will continue until that risk has been removed. Where the risk

scope is identified the measures can be modulated restricting or banning trade from the affected region only.

Semen and embryos

Of animals except in compliance with Council Directive 90/425/EEC which is administered by the Department of Agriculture, Food and the Marine.

Of pure-bred breeding animals of the bovine species except in compliance with Council Directives 88/407/EEC (as amended), 89/556/EEC, 77/504/EEC, (as amended), and 87/328/EEC which are administered by the Department of Agriculture, Food and the Marine. Exports to EU Member States of pure-bred breeding animals of the bovine species, their semen and embryos must be accompanied to their destination by the appropriate veterinary and zootechnical certification issued by the Minister for Agriculture, Fisheries and Food. (European Communities (Trade in Bovine Breeding Animals, their Semen, Ova and Embryos) Regulations 1996 (S.I. No. 112 of 1996).

Information in respect of other species can be obtained from the Department of Agriculture Food and the Marine, Cavan (Phone: 049 4361022).

Of domestic animals of the porcine species except in accordance with Council Directive 90/429/EEC exports to EU Member States of the porcine species must be accompanied to their destination by the appropriate veterinary and zootechnical certification issued by the Minister for Agriculture, Fisheries and Food. European Communities (Trade in Porcine Semen - Animal Health) Regulations, 1993 (S.I. 242 of 1993).

Animal Health and Welfare Division who has responsibility for the Balai Directive (92/65/EEC) which covers trade in animals and animal semen, ova and embryos of other species may be contacted at (phone 01-6072916).

Information relating to porcine semen may be obtained at (phone 049-49368293).

Information relating to bovine semen may be obtained at (phone 049-49368242).

Requirements for purebred breeding animals, their semen, ova and embryos

Cattle

Commission Decision 2005/379/EC lays down the requirements for pedigree certificates and particulars for purebred breeding animals of the bovine species, their semen, ova and embryos.

Pigs

Commission Decision 89/503/EEC lays down the requirements for certificates of pure-bred breeding pigs, their semen, ova and embryos.

Commission Decision 89/506/EEC lays down the requirement of hybrid breeding pigs, their semen, ova and embryos.

Sheep/goats

Commission Decision 90/258/EEC lays down the requirements for zootechnical certificates for pure-bred breeding sheep and goats, their semen, ova and embryos.

Horses

Commission Regulation 504/2008 details the identification document (passport) that must accompany equidae.

Commission Decision 96/79/EC lays down the requirements for zootechnical certificates of semen, ova and embryos from registered equidae.

Commission Decision 2000/68/EC establishes the identification document for non-pedigree horses.

Plants and plant products, organisms and cultures harmful to plants

Council Directive 2000/29/EC [European Communities (Introduction of Organisms Harmful to Plants or Plant Products (Prohibition) Regulations, 1980 (S.I. No. 125 of 1980), as amended].

ARCHAEOLOGICAL OBJECTS

The movement of Archaeological objects is prohibited except under licence issued through the National Museum of Ireland, Kildare Street, Dublin 2. Telephone (01) 6777444.

(National Cultural Institutions Act, 1997 Section 50).

CULTURAL GOODS

Council Regulation (EEC) No. 116/2009 is the legislation currently in force.

The Department of Arts, Heritage and the Gaeltacht is the competent authority for the issuing of licences/declarations relating to the movement of cultural goods and does so while procuring appropriate professional/technical advice from the relevant national cultural institution. Applications to export cultural goods should be sent to the appropriate cultural institution i.e.

- National Gallery of Ireland, Upper Merrion Street, Dublin 2. Tel: (01) 6615133
- National Library of Ireland, Manuscripts Department, Kildare Street, Dublin 2, Tel: (01) 6030200
- National Museum of Ireland, Kildare Street, Dublin 2, Tel: (01) 6777444

Queries can be directed to:

The Department of Arts, Heritage and the Gaeltacht

Cultural Institutions Unit,

Fossa,

Co. Kerry.

Telephone: 064 27355

The Documents and Pictures (Regulation of Export) Act, 1945 regulates the movement of documents and pictures with the object of preserving records of those, which are of national, historical, genealogical or literary interest. The repeal of this Act, provided for under section 6(1) of the National Cultural Institutions Act, 1997,

has yet to be enabled. Licences required for movements within EU Member States are issued through the National Gallery of Ireland and the National Library of Ireland - contact details as above.

For further information view Cultural Goods - Protection at <http://www.ahg.gov.ie>

The Department of Arts, Heritage and the Gaeltacht
Cultural Institutions Unit,
Fossa,
Co. Kerry.
Telephone: 064 27355

DRUGS

The movement from the State of certain specified controlled drugs including narcotic drugs and psychotropic substances is prohibited except under licence issued by the Minister for Health (Misuse of Drugs Acts, 1977 and 1984, Misuse of Drugs Regulations, 1988 (as amended). Further information may be obtained from:

The Department of Health,
Hawkins House,
Dublin 2.
Telephone: (01) 635 4000, LoCall 1890 20 03 11
Website: www.dohc.ie

PSYCHOACTIVE SUBSTANCES (HEAD SHOPS)

The Criminal Justice (Psychoactive Substances) Act 2010 provides that the sale, supply, import and export for human consumption of psychoactive substances is a criminal offence. The term "*psychoactive substance*" is defined in section 1 of the Act as meaning a substance, product, preparation, plant, fungus or natural organism which has, when consumed by a person, the capacity to-

- (a) produce stimulation or depression of the central nervous system of the person, resulting in hallucinations or a significant disturbance in, or significant change to, motor function, thinking, behaviour, perception, awareness or mood, or
- (b) cause a state of dependence, including physical or psychological addiction.

Section 2 provides that specific products which are subject to licence, authorisation or other control are excluded from the scope of the Act. These include medicinal products, animal remedies, intoxicating liquor, tobacco and food. Controlled drugs, which are subject to the Misuse of Drugs Acts, are also excluded. The Minister for Justice and Equality can, by order, exclude other products from the application of the Act.

Section 3 of the Act provides for the offences of selling, importing and exporting psychoactive substances for human consumption.

Subsection (2) provides that it is an offence to import or export a psychoactive

substance knowing or being reckless as to whether it is being acquired or supplied for human consumption.

A person guilty of an offence under the Act is liable on summary conviction to a fine of up to €5,000 or imprisonment for up to 12 months or both. A person convicted on indictment is liable to an unlimited fine or to imprisonment not exceeding 5 years or both.

Further information may be obtained from:

Department of Health

Marita Kinsella Marita_Kinsella@health.gov.ie

Mary O'Reilly mary_o'reilly@health.gov.ie

DRUG PRECURSORS

Council Regulation 273/2004 lays down rules for the monitoring of intra-community trade in drug precursors. It requires that all exports – including transshipment and intermediary activities involving drug precursors be documented by operators, and that precursors be clearly identified as such. In addition, businesses trading in Category 1 precursors, or Category 2 precursors over a certain threshold, have to hold a licence or be registered. Commission Regulation 1277/2005, lays down detailed implementing rules for Regulation 273/2004, in order to establish the necessary procedures regarding licensing and further detailed rules concerning the monitoring of trade.

The scheduled substances concerned are:

Category 1 Ephedrine, Ergometrine, Ergotamine, Lysergic acid, 1-Phenyl-2-propanone, Pseudoephedrine, Nacetylanthranilic acid, 3, 4-Methylenedioxyphenylpropan-2-one, Norephedrine, Isosafrole (cis- & trans), Piperonal and Safrole, their stereoisomeric forms and their salts.

Category 2 Acetic anhydride, Anthranilic acid, Potassium Permanganate Phenylacetic acid and Piperidine and their salts.

Category 3 Acetone, Ethyl ether, Methylethylketone (MEK), Toluene, Sulphuric acid and Hydrochloric acid and their salts with the exception of the salts of hydrochloric acid and sulphuric acid.

Note: Scheduled Substances mean the above substances including mixtures and natural products containing such substances.

Further information may be obtained from:

The Irish Medicines Board,

Kevin O Malley House,

Earlsfort Terrace,

Dublin 2.

www.imb.ie

Telephone: (01) 6764971

DUAL-USE ITEMS AND TECHNOLOGY

Movements between Ireland and other EU Member States

Council Regulation (EC) No. 428/2009 subjects dual-use items and technology to export controls. Dual-use items and technology are goods, which can be used for either civil or military purposes.

A licence is required for the movement to other EU Member States of highly sensitive dual-use items and technology as listed in Annex IV to Council Regulation (EC) No. 428 of 2009. Exporters should contact:

The Export Licensing Unit,
Department of Jobs, Enterprise and Innovation
Telephone: (01) 631 2703/ LoCall: (1890) 220 222.

Details of export procedures for dual-use items and technology are available on the Department of Jobs, Enterprise and Innovation's website at:

<http://www.djei.ie/trade/export/cont-dul.htm>

EXPLOSIVES, PYROTECHNICS, DEEMED SUBSTANCES

The movement of the following goods is prohibited except under licence issued by the

Department of Jobs, Enterprise and Innovation (Tel: 01 - 631 2121, LoCall: 1890 220 222, (<http://www.djei.ie>) under the Control of Exports (Goods and Technology) Order, 2009 (S.I. No.305 of 2009):

Explosive substances (e.g. propellant powders, bulk explosives used for mining, quarrying and construction blasting), explosive articles (e.g. packaged explosives, detonating cord, jet perforating guns, detonators, shaped charges, etc.), pyrotechnic substances (e.g. flash powder, compositions used in flares and fireworks etc.), pyrotechnic articles (e.g. fireworks, flares, distress signals, etc.), Substances deemed to be explosives (such as high nitrogen Ammonium Nitrate, Sodium Chlorate, Nitro Benzene, Potassium Nitrate, Sodium Nitrate and any mixture or solution containing either Potassium Nitrate or Sodium Nitrate in combination with any other substance or substances, apart from pest fumigant.

Under the Control of Exports (Goods and Technology) Order 2009 (S.I. No.305 of 2009), an export licence from the Department of Jobs, Enterprise and Innovation is required to export explosives to another EU Member State. For further information, exporters should contact:

The Export Licensing Unit Tel: (01) 631 2703/ LoCall: (1890) 220 222.

Explosives Requirements under S.I. No. 115 of 1995.

S.I. No.115 of 1995-European Communities (Placing on the market and Supervision of Explosives for Civil Uses) Regulations, 1995 gives effect in national law to Council Directive 93/15/EEC of 5 April, 1993 on the harmonisation of the provisions relating to the placing on the market and supervision of explosives for civil uses. Under the above legislation no explosives may be moved to another Member State of the EU except under the authority of the Member States moving or receiving the goods. No explosives may be transferred by way of export from the State unless the consignor provides a copy of the recipient competent authority document and any information that the Minister may reasonably require with respect to the exportation in accordance with S.I. No. 115 of 1995 to:

Minister for Justice and Equality,
Department of Justice and Equality,
94 St. Stephens Green,
Dublin 2.
Telephone (01) 6028202, LoCall 1890 221 227
Website: www.justice.ie

FIREARMS AND AMMUNITION

All Member States of the EU are obliged to authorise the movement of firearms and ammunition to another Member State and to forward details of such authorisations to the recipient State, in accordance with the terms of Directive 91/477/EC as amended by Directive 2008/51/EC on the Control of the Acquisition and Possession of Firearms. Under the terms of this Directive, movements to EU Member States require an authorisation issued by the Department of Justice and Equality together with a Removal Order from a Garda Superintendent or a valid firearms certificate. An individual, travelling to another EU Member State, who is in possession of a European Firearms Pass, does not require an authorisation from the Department of Justice and Equality but the Firearms Pass must have been endorsed by the Member State of destination and s/he must comply with all requirements laid down by that country.

OFFENSIVE WEAPONS

Offensive Weapons listed in S.I. No.66 1991 and S.I. 338 of 2009 are prohibited in the State. [Firearms and Offensive Weapons Act, 1990 (No. 12 of 1990) the Firearms and Offensive Weapons Act, 1990 (Offensive Weapons) Order, 1991 (S.I. No.66 of 1991) and Firearms and Offensive Weapons Act 1990, Offensive Weapons (Amendment) Order, 2009 (SI 338 of 2009)]. This list now includes samurai swords as per SI. No. 338 of 2009 with only certain types of samurai allowed to be imported. The movement to another EU Member State of any weapon (e.g. a sword), that could be considered to be an offensive weapon, may be subject to clearance from the competent authority of the recipient Member State.

For the purposes of this prohibition the term “**offensive weapons**” means:

a flick knife,

a knife which opens when hand pressure is applied to a button, spring, lever or other device in or attached to the handle, or a knife which has a blade

which is released from the handle or sheath by the force of gravity or the application of centrifugal force and when released is locked in an open position by means of a button, spring, lever or other device;

- a **knuckleduster**, a band of metal or other hard material worn on one or more fingers, and designed to cause injury, or any weapon incorporating a knuckleduster;
- a **swordstick or dagger cane**, that is, a hollow walking-stick or cane containing a blade which may be used as a sword or dagger;
- a **sword umbrella**, that is an umbrella containing a blade which may be used as a sword;
- **any weapon from which one or more sharp spikes protrude** which is worn attached to the foot, ankle, arm, hand or wrist (sometimes known when intended to be attached to the foot, as a foot claw and, when intended to be attached to the hand, as a hand claw);
- the weapon sometimes known as a **belt buckle knife**, being a buckle which incorporates or conceals a knife;
- the weapon sometimes known as a **push dagger**, being a knife the handle of which fits within a clenched fist and the blade of which protrudes from between two fingers;
- the weapon sometimes known as a **hollow kubotan**, being a cylindrical container containing a number of sharp spikes;
- the weapon sometimes known as a **shuriken, shaken or death star**, being a hard non-flexible plate having three or more sharp radiating points, and designed to be thrown;
- the weapon sometimes known as a **balisong or butterfly knife**, being a blade enclosed by its handle, which is designed to split down the middle, without the operation of a spring or other mechanical means, to reveal the blade;
- the weapon sometimes known as a **telescopic truncheon or telescopic billy**, being a truncheon which extends automatically by hand pressure applied to a button, spring or other device in or attached to its handle;
- the weapon sometimes known as a **blowpipe or blow gun**, being a hollow tube out of which hard pellets or darts are shot by the use of human breath;
- the weapon sometimes known as a **kusari gama**, being a length of rope, cord wire or chain fastened at one end to a sickle;
- the weapon sometimes known as a **kyoketsu shoge**, being a length of rope, cord, wire or chain fastened at one end to a hooked knife;
- the weapon sometimes known as a **manrikigusari or kusari** being a length of rope, cord, wire or chain fastened at each end to a hard weight or hand grip;
- the weapon sometimes known as a **sap glove**, being a glove into which metal or some other hard material has been inserted or to which metal or such material has been attached;
- the broad knife known as a **machete or matchet**.
- The sword sometimes known as samurai or katana, other than such a sword-
 - (i) made before 1954, or
 - (ii) made at any other time according to traditional methods of making swords by hand.

MILITARY GOODS AND PARAMILITARY GOODS

Movements between Ireland and other EU Member States

The Control of Exports (Goods and Technology) Order 2009, made pursuant to the Control of Exports Act, 2008 contains a specific list of military goods, which may not be moved from Ireland to another EU Member State without an export licence issued by the Department of Jobs, Enterprise and Innovation. Details of military and paramilitary goods and export procedures are available on the Department's website <http://www.djei.ie/trade/export/military.htm> Tel Tel: (01) 631 2703/ LoCall (1890) 22 02 22.

CHILD PORNOGRAPHY

The movement of Child Pornography from the State to other EU Member States is prohibited under the Child Trafficking and Pornography Act, 1998.

RADIOACTIVE SUBSTANCES AND IRRADIATING DEVICES

The Radiological Protection Act, 1991 (Ionising Radiation) Order, 2000, prohibits the movement to other EU Member States of:

- radioactive substances
- nuclear devices

save under a licence issued by the Radiological Protection Institute of Ireland, established under the Radiological Protection Act, 1991 as the agent of the Minister for the Environment and Local Government. The Institute may be contacted at 01 - 269 7766, www.rpii.ie.

Items being transported from within the European Union require the completion of the Standard shipping declaration document pursuant to Council Regulation (EEC) No. 1493/93 for shipment of sealed sources between Member States of the European Community. This shall be completed by the consignee and stamped by the Radiological Protection Institute of Ireland (RPII) in advance of the shipment(s).

For sealed sources being sent to another Member State of the EU, the licensee must ensure that the Competent Authority in that State has approved and stamped the 1493 form prior to the shipment.

For more information on radioactive sources, refer to the Radiological Protection Institute of Ireland website: www.rpii.ie or telephone RPII on 01 - 269 7766.

WASTE (TRANSFRONTIER SHIPMENT)

Shipments of waste are subject to a range of regulatory controls.

Links to the EU and Irish regulations that apply, i.e.

- [Waste Management \(Shipments of Waste\) Regulations 2007 \(S.I. No. 419 of 2007\)](#)
- [Regulation \(EC\) No. 1013/2006 of the European Parliament and of the Council](#)

[of 14 June 2006 on shipments of waste](#)

All waste shipments are subject to the general requirements of the provisions of Regulation (EC) 1013/2006 on shipments of waste. Where the waste is being moved within the EU, the procedures are different from those that apply if it is being moved out of or into the EU or to and from OECD countries. Where controls apply to movements of waste, the written permission of Dublin City Council is needed before moving the waste. Queries can be directed to:

National TFS Office,
Eblana House,
Dublin City Council,
68-71 Marrowbone Lane,
Dublin 8.
Telephone (01) 2224235
Email: nationaltfs@dublincity.ie

CITES

CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) is an international agreement between Governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

The Minister for the Environment, Community and Local Government is designated as the CITES Management Authority in Ireland. The duties and functions of the Management Authority, are carried out by:

Cites Management Authority -Ireland
National Parks and Wildlife Service,
Department of the Environment, Community and Local Government,
7 Ely Place,
Dublin 2.
Telephone: (01) 888 3235 or (01) 888 3074
Email: cites@environs.ie
Website: www.npws.ie

Any queries in respect of Customs related matters regarding the movement of prohibited or restricted goods can be directed to:

**Risk, Prohibitions and Restrictions Unit
Customs Division
Nenagh
Co. Tipperary**

Telephone: 067 63441 / 63312 / 63330 / 63155

Email: RevenueCustomsProhibitionsRestrictions@revenue.ie