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## STATUTORY INSTRUMENTS

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# 2020 No. 1631

## The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020

### PART 2

#### Amendment of subordinate legislation

#### The Trade in Animals and Related Products Regulations 2011

- 2.—(1) The Trade in Animals and Related Products Regulations 2011 <sup>M1</sup> are amended as follows.
- (2) In Schedule 2, after paragraph 11 insert—

**“Special import conditions**

11A.—(1) The Secretary of State may by regulations impose special import conditions in respect of imports from third countries of products of animal origin intended for human consumption, having regard to the animal health situation of the third country or countries concerned, and may for that purpose amend, modify or revoke any retained direct minor EU legislation made under Article 8(4) of Council Directive [2002/99/EC](#) <sup>M2</sup>.

- (2) Regulations made under this paragraph are to be made by statutory instrument.
- (3) A statutory instrument containing regulations under this paragraph is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) Regulations made under this paragraph may—
- (a) contain consequential, incidental, supplementary, transitional, transitory or saving provision;
  - (b) make different provision for different purposes.”.

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#### Commencement Information

- I1** Reg. 2 in force at 31.12.2020 on IP completion day, see reg. 1(2)
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#### Marginal Citations

- M1** [S.I. 2011/1197](#), as amended by [S.I. 2012/2897](#), 2013/2996, 2014/3158, 2018/575 and 1037, 2019/526 and 782, 2020/109.
- M2** OJ No L 18, 23.1.2003, p. 11 as last amended by Council Directive 2013/20/EU (OJ No L 158, 10.6.2013, p. 234).

#### The Veterinary Medicines Regulations 2013

- 3.—(1) The Veterinary Medicines Regulations 2013 <sup>M3</sup> are amended as follows.
- (2) In regulation 2(2)—

- (a) omit the definition of “Regulation (EC) No 882/2004”;
- (b) in the appropriate place insert—
  - ““Regulation 2017/625” means Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products <sup>M4</sup>”.
- (3) In regulation 45(3), for paragraph (c) substitute—
  - “(c) Regulation (EU) 2017/625”.
- (4) In Schedule 5—
  - (a) in the Contents, in item 4, for “Regulation (EC) No 882/2004” substitute “ Regulation (EU) 2017/625 ”;
  - (b) in paragraph 4, and the heading to that paragraph, for “Regulation (EC) No 882/2004” substitute “ Regulation (EU) 2017/625 ”.

#### Commencement Information

**I2** Reg. 3 in force at 31.12.2020 on IP completion day, see [reg. 1\(2\)](#)

#### Marginal Citations

**M3** [S.I. 2013/2033](#), which is amended by [S.I. 2019/676](#) and 1488, 2020/44 (W. 5). There are other amendments not relevant to this instrument.

**M4** EUR 2017/625.

### The Animal Feed (Amendment) (EU Exit) Regulations 2019

- 4.—(1) The Animal Feed (Amendment) (EU Exit) Regulations 2019 <sup>M5</sup> are amended as follows.
- (2) Omit regulation 90.

#### Commencement Information

**I3** Reg. 4 in force at 31.12.2020 immediately before IP completion day, see [reg. 1\(2\)](#)

#### Marginal Citations

**M5** [S.I. 2019/654](#), as amended by [S.I. 2020/1504](#).

### The Official Controls (Animals, Feed and Food, Plant Health Fees etc.) Regulations 2019

- 5.—(1) The Official Controls (Animals, Feed and Food, Plant Health Fees etc.) Regulations 2019 <sup>M6</sup> are amended as follows.
- (2) In regulation 1(3)(a)—
  - (a) for “Parts 2 to 4” substitute “ Part 2, regulations 8, 9 and 10, Part 4 ”;
  - (b) after “United Kingdom,” insert “ and regulation 9A, in relation to England and Wales and Scotland, ”.
- (3) In regulation 2(1)—
  - (a) in the definition of “the EU Official Controls Regulations”, for “and Delegated Regulations” substitute “ , Delegated Regulations and statutory instruments made under it ”;

- (b) in the definition of “relevant legislation”, for “European and domestic” substitute “, in Northern Ireland, European and domestic legislation, and in Great Britain, retained direct EU legislation and domestic legislation”.
- (4) In regulation 4, omit “in the United Kingdom and other member States”.
- (5) After regulation 9, insert—

**“Facilitating assistance and co-operation in England and Wales and Scotland in relation to matters falling within Articles 1(2)(i) and 1(2)(j) of the EU Regulation**

**9A.** Regulation 9 applies in relation to England and Wales and Scotland insofar as it relates to matters falling within Article 1(2)(i) (organic production and labelling of organic products) and Article 1(2)(j) (use and labelling of protected designations of origin, protected geographical indications and traditional specialities guaranteed) subject to the following modifications—

- (a) in paragraph (1)—
  - (i) in the opening words, as if “another member State” were omitted;
  - (ii) in sub-paragraph (a), for “a competent authority of another country” there were substituted “another competent authority”;
- (b) as if paragraph (2) were omitted.”.

**Commencement Information**

**I4** Reg. 5 in force at 31.12.2020 on IP completion day, see [reg. 1\(2\)](#)

**Marginal Citations**

**M6** [S.I. 2019/1488](#).

**The Aquatic Animal Health and Plant Health (Legislative Functions) (EU Exit) Regulations 2019**

**6.—(1)** The Aquatic Animal Health and Plant Health (Legislative Functions) (EU Exit) Regulations 2019<sup>M7</sup> are amended as follows.

- (2) Omit Part 3 and regulations 16 and 20.

**Commencement Information**

**I5** Reg. 6 in force at 31.12.2020 on IP completion day, see [reg. 1\(2\)](#)

**Marginal Citations**

**M7** [S.I. 2019/817](#), amended by [S.I. 2020/1463](#).

**The Food and Feed Hygiene and Safety (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020**

**7.—(1)** The Food and Feed Hygiene and Safety (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020<sup>M8</sup> are amended as follows.

- (2) In regulation 9(14), in the inserted text—
  - (a) omit regulation 51C;

(b) in regulation 51D, after paragraph (b) insert—

“(c) in paragraph 5(a)(iii), for “the territory of the Member State” substitute “Great Britain ”.”.

**Commencement Information**

**I6** Reg. 7 in force at 31.12.2020 immediately before IP completion day, see [reg. 1\(2\)](#)

**Marginal Citations**

**M8** [S.I. 2020/1504](#).

**The Plant Health (Amendment etc.) (EU Exit) Regulations 2020**

**8.—**(1) The Plant Health (Amendment etc.) (EU Exit) Regulations 2020 <sup>M9</sup> are amended as follows.

(2) In regulation 1(2), after sub-paragraph (b), insert—

“(c) as regards the following provisions, in so far as they relate to the prevention of the establishment or spread of the harmful plant pests *Ceratocystis platani* and *Xylella fastidiosa*, on the day after the day on which IP completion day falls—

- (i) regulations 14(2)(b), 15, 23(3)(b)(x), (xvii), and (xxii);
- (ii) paragraph 40 of Schedule 3.”.

(3) In regulation 31(35)(c), for “for paragraph 1” substitute “ in paragraph 1, for the first subparagraph ”.

**Commencement Information**

**I7** Reg. 8 in force at 31.12.2020 immediately before IP completion day, see [reg. 1\(2\)](#)

**Marginal Citations**

**M9** [S.I. 2020/1482](#).

**The Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020**

**9.—**(1) The Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020 <sup>M10</sup> are amended as follows.

(2) In regulation 1—

(a) for paragraph (2) substitute—

“(2) Subject to paragraph (3), these Regulations come into force on IP completion day.”;

(b) after paragraph (2), insert—

“(3) Regulation 10, so far as it relates to entries 3 and 61, and paragraph (a) of entry 135, in the Table in Part A of Annex 7 to Commission Implementing Regulation (EU) 2019/2072 substituted by Schedule 7 to these Regulations, comes into force on the day after the day on which IP completion day falls.

(4) In these Regulations, “Commission Implementing Regulation (EU) 2019/2072” means Commission Implementing Regulation (EU) 2019/2072 establishing uniform

conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protection measures against pests of plants.”.

- (3) In regulation 2—
  - (a) in paragraph (1), omit the words from “establishing” to “plants”;
  - (b) in paragraph (9)(b), for “paragraph” substitute “ paragraphs ”.
- (4) In Annex 7, in Part A, in entries 116 and 119 of the table, in column (2)—
  - (a) after “third country” insert “ , other than EU Member States ”;
  - (b) at the end omit “ , other than EU Member States”.

**Commencement Information**

**I8** Reg. 9 in force at 31.12.2020 immediately before IP completion day, see [reg. 1\(2\)](#)

**Marginal Citations**

**M10** [S.I. 2020/1527](#).

**The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020**

**10.**—(1) The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020 <sup>M11</sup> are amended as follows.

(2) In regulation 1, at the end insert “ , except Part 5 which comes into force immediately before IP completion day ”.

(3) Omit regulation 43.

**Commencement Information**

**I9** Reg. 10 in force at 31.12.2020 immediately before IP completion day, see [reg. 1\(2\)](#)

**Marginal Citations**

**M11** [S.I. 2020/1481](#).

**The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020**

**11.**—(1) The Import of, and Trade in, Animals and Animal Products (Miscellaneous Amendments) (EU Exit) Regulations 2020 <sup>M12</sup> are amended as follows.

(2) In regulation 53(21)(a)(i), after “HEP,” insert “ HER, ”.

**Commencement Information**

**I10** Reg. 11 in force at 31.12.2020 immediately before IP completion day, see [reg. 1\(2\)](#)

**Marginal Citations**

**M12** [S.I. 2020/1462](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020, PART 2.