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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations extend to Scotland only. They revoke and replace the Meat (Official Controls Charges) (Scotland) Regulations 2005 ([S.S.I. 2005/607](#)).

These Regulations provide for the execution and enforcement in Scotland of Articles 26 and 27 of Regulation [\(EC\) No. 882/2004](#) of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (O.J. No. L 165, 30.4.04, p.1; the revised text of Regulation [\(EC\) No. 882/2004](#) is now set out in a Corrigendum, O.J. No. L 191, 28.5.04, p.1), in so far as those provisions require fees to be collected to cover the costs occasioned by official controls performed, first, on meat of domestic ungulates, meat from poultry and lagomorphs, meat of farmed game and meat of wild game under Regulation [\(EC\) No. 854/2004](#) of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption (O.J. L 139, 30.4.04, p.206; the revised text of Regulation [\(EC\) No. 854/2004](#) is now set out in a Corrigendum, O.J. No. L 226, 25.6.04, p.83) and, second, to verify compliance with the animal welfare rules set out in Council Directive [93/119/EC](#) (O.J. No. L 340, 31.12.93, p.21), in so far as they apply in relation to animals slaughtered for human consumption at slaughterhouses.

These Regulations—

- (a) require the Agency to notify the operator of each slaughterhouse, game-handling establishment and cutting plant in which official controls have been exercised of the official controls charge that has arisen in relation to those official controls (the terms “slaughterhouse”, “game-handling establishment”, “cutting plant”, “official controls” and “official controls charge” are all defined in regulation 2) (regulation 3);
- (b) provide that any official controls charge so notified is payable by the operator to the Scottish Ministers on demand or to the Agency on their behalf (regulation 3);
- (c) allow the Scottish Ministers to direct the Agency to refuse to exercise any further official controls at given premises where, despite a decree requiring the operator of the premises to pay the official controls charge for which that operator is liable, the operator fails to comply with the decree (regulation 4);
- (d) require persons—
  - (i) to supply the Agency on demand with such information as it may reasonably require for the purpose of calculating the official controls charge or notifying the operator of it, and
  - (ii) to supply the Agency on demand with such evidence as it may reasonably require to verify that information (regulation 5);
- (e) provide that a person who—
  - (i) in response to a demand for information or evidence, knowingly or recklessly furnishes false or misleading information, or
  - (ii) without reasonable excuse, fails to comply within a reasonable time with a demand for information or evidence,is guilty of an offence (regulation 5).

Schedule 2 to these Regulations sets out how the official controls charge is to be calculated.

**Status:** *This is the original version (as it was originally made).*

A Regulatory Impact Assessment, which includes a compliance cost assessment of the effect which these Regulations would have on business costs, has been prepared and has been placed in the Scottish Parliament Information Centre. Copies may be obtained from the Food Standards Agency (Scotland), 6th Floor, St Magnus House, 25 Guild Street, Aberdeen AB11 6NJ.