

**EXPLANATORY MEMORANDUM TO
THE MEAT (OFFICIAL CONTROLS CHARGES) (ENGLAND) (No.2)
REGULATIONS 2007**

2007 No. 3385

1. This explanatory memorandum has been prepared by the Food Standards Agency and is laid before Parliament by Command of Her Majesty.

2. Description

2.1. This instrument requires the Food Standards Agency (“FSA”) to charge the operators of approved meat premises in England in order to recover a proportion of the costs incurred by the Agency’s Executive Agency, the Meat Hygiene Service (“MHS”), in carrying out official controls at such premises in respect of applicable meat hygiene and animal welfare at slaughter requirements. References to “meat hygiene” below should be taken to include animal welfare at slaughter official controls.

3. Matters of special interest to the Joint Committee on Statutory Instruments.

3.1. None.

4. Legislative background

4.1. Background

4.1.1. The instrument will replace the Meat (Official Controls Charges) (England) Regulations 2007 (“the current Regulations”) and will continue to provide for the collection of meat hygiene official controls charges in England, as required by Regulation (EC) 882/2004 on Official Feed and Food Controls (“the OFFC Regulation”). In addition the instrument will implement the throughput categories and minimum standard charge rates for throughput (throughput rates) applicable to meat hygiene official controls in approved meat establishments, as is required to be done under the OFFC Regulation by 1 January 2008. The instrument will, for the first time, set out all throughput rates in £ Sterling. The rates in Schedule 2 to the instrument have been converted from Euros to Sterling at the exchange rate applicable to 2008. (Minimum rates set out in the OFFC Regulation are expressed in Euros).

4.2. Scrutiny History

4.2.1. A scrutiny history that was produced for the European Scrutiny Committee in the House of Commons and European Union Committee in the House of Lords during negotiation of the OFFC Regulation is attached at Appendix 1. In particular, the scrutiny of Council Directive 96/43/EC may help give context to the official controls charges required by the OFFC Regulation.

5. Extent

5.1. This instrument applies in England. Equivalent instruments will be made in Scotland, Wales and Northern Ireland.

6. European Convention on Human Rights

- 6.1. As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1. Policy

- 7.1.1. The requirements laid down as regards charges for meat hygiene official controls were previously contained in Council Directive 85/73/EEC as last amended by Directive 96/43/EEC (“the Charging Directive”). The OFFC Regulation supersedes the Directive and requires that, from 1 January 2007, Member States must charge no more than actual costs and, other than in specified cases, no less than specified minimum charge rates. As an alternative, the OFFC Regulation permits Member States to retain the charge rates set out in the Charging Directive until 1 January 2008, though as minima rather than standard amounts. In England the current Regulations make use of this derogation.
- 7.1.2. The charge rates in the Charging Directive and the OFFC Regulation are throughput rates for inspection costs relating to the slaughter per species/type of animal or bird. For controls and inspections connected with cutting operations, the fee is per tonne of meat entering the cutting plant for the purpose of being cut up or boned there.
- 7.1.3. Some of the throughput rates in the current Regulations (e.g. for adult bovines) are currently less than the minimum rates specified in the OFFC Regulation. The Food Standards Agency (FSA) has consulted on proposed changes to the chargeable throughput rates to ensure that the minima specified in the OFFC Regulation are applied appropriately by the date from which that must occur, namely 1 January 2008.
- 7.1.4. The instrument perpetuates the current meat hygiene charging system, which was introduced in 2001 to support smaller slaughterhouses and cutting plants. This is achieved by providing for official control charges to be the lower of time cost charges and charges calculated from the specified throughput rates.
- 7.1.5. In implementing the OFFC Regulation throughput categories, the instrument will maintain the current charges structure (i.e. that derived from the Charging Directive) insofar as this is possible. This enables the instrument to continue to specify different throughput rates for different weights of animals (e.g. poultry) so that current differentials are maintained, as far as possible, to take into consideration the types of businesses concerned, as required by Article 27.5 of the OFFC Regulation. However, the OFFC Regulation throughput categories for cattle are not the same as the current ones, which will result in a small number of cattle being charged at a lower rate than hitherto.
- 7.1.6. The changes to the current throughput charges that are required to meet OFFC requirements from 1 January 2008 are set out on the table in the attached Appendix. They will affect slaughterhouses that process cattle, boars and ruminants (other than cattle, sheep and goats, i.e. mainly deer), slaughterhouses that process turkeys and game handling establishments that process boars and/or ruminants (other than cattle, sheep and goats, i.e. mainly deer).

7.2 Consultation

- 7.2.1. Around 100 stakeholders in England were consulted in line with Cabinet Office best practice over a 12-week period, including industry representative organisations. In addition, around 750 operators of approved slaughterhouses, game handling establishments and meat cutting businesses were sent a letter alerting them to the consultation and giving them the opportunity to respond to the consultation either directly or via a representative organisation. Comments were received from only one respondent. This was about the effect of increasing throughput rates for turkeys to meet the OFFC minima by 1 January 2008. This respondent acknowledged the need to implement the requirements of the OFFC Regulation but suggested that the obligation might be met at less cost to the turkey sector by restructuring the charging arrangements set out in the instrument. The Department explained that it considered the suggestion to be inequitable and unsound in law for reasons that were specified. A summary of the consultation comments and Departmental responses is attached to this memorandum.

7.3. Guidance

- 7.3.1. The current MHS Charges Guide for industry will continue to be applicable and the Operators of approved meat plants will be advised in advance about the revised throughput categories for cattle and the new throughput rates that will come into force from 31 December 2007.

7.4. Sanctions

- 7.4.1. The MHS will remain responsible for enforcement, sanctions and monitoring in respect of the meat hygiene charging provisions set out in the instrument.

8. Impact

- 8.1. Although the instrument will impose additional costs on businesses, the impact of the increased charges will, in general, be small. It will be more significant for businesses that specialise in the animals subject to a throughput rate increase. A final Impact Assessment is attached to this memorandum.

9. Contact

- 9.1. Mrs Sandie Yeats at the Food Standards Agency (tel: 020 7276 8326 or e-mail: sandie.yeats@foodstandards.gsi.gov.uk) can answer any queries regarding the instrument.

Appendix

Changes to Throughput Charge Rates from 31 December 2007

Slaughterhouses and game-handling establishments					
Directive 85/73 categories	Current	OFFC categories	EC min	Categories from 31/12/07	31/12/07
Type of animal	Rate £	Type of animal	Rate £	Type of animal	Rate £
Bovine animals		Bovine animals		Bovine animals	
- aged less than 6 weeks at slaughter	1.7670	- young bovine animals:	1.3482	- aged less than 8 months at slaughter	1.7670
- aged 6 weeks or more at slaughter	3.1806	- adult bovine animals:	3.3788	- aged 8 months or more at slaughter	3.3788
Wild boar of a carcass weight		- boar	1.0136	- boars	1.0136
- less than 25kg	0.3534				
- greater than or equal to 25 kg	0.9189				
Ruminants of a carcass weight		- ruminants	0.3379	- ruminants of a carcass weight	
- less than 12 kg	0.1237			- less than or equal to 18kg	0.3379
- between 12 and 18 kg inclusive	0.2474				
- greater than 18 kg	0.3534			- greater than 18 kg	0.3534
Turkeys		Turkeys	0.0169	- Turkeys	
- weighing less than 2 kg	0.0071			- any weight (except those which are adult and weight at least 5 kg)	0.0169
- weighing at least 2 kg (except those which are adult and weigh at least 5 kg)	0.0142				
- all being adult and weighing at least 5 kg	0.0282			- adult and weighing at least 5 kg	0.0282

Note:

The EC minimum rates and the 31 December 2007 rates that are being increased to comply with the EC minima are in bold type. They were converted from Euros to Sterling at the €£ exchange rate published in the Official Journal of the European Union on 4 September 2007 (0.67575).

Part 1

PARLIAMENTARY SCRUTINY HISTORY RELEVANT TO A PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL CONCERNING OFFICIAL FEED AND FOOD CONTROLS

EUROPEAN PARLIAMENT AND COUNCIL REGULATION No. 178/2002

Legislation	European Parliament and Council Regulation No. 178/2002
Adopted	28 January 2002
Official Journal	L31 of 1 February 2002 (Page 1 – 24)
Explanatory Memoranda	5761/00 of 2 February 2000 14174/00 of 21 January 2001 11445/01 of 11 October 2001

EXPLANATORY MEMORANDUM 5761/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – for debate	Date: 1 March 2000 Report ref: (20875) HC 23 – x (Session 1999-2000) Paragraph 2	Referred to Sub-Committee (List B)	Date: 8 February 2000 Sub-Committee D
Debated in European Standing Committee C	Date: 12 April 2000	Recommended for debate	Date: 16 May 2000 7 th Report HL Paper 66 (Session 1999-2000)
		Debated	Date: 23 June 2000

EXPLANATORY MEMORANDUM 14174/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important – for debate on the floor of the House	Date: 14 March 2001 Report Ref: (21886) HC 28 – viii (Session 2000-2001) Paragraph 1	Referred to Sub-Committee	Date: 21 January 2001 Sub-Committee D
Legally and politically important - cleared	Date: 31 October 2001 Report Ref: (21886) HC 152 – iii (Session 2001 – 2002) Paragraph 5	Cleared	Date: 23 March 2001 10 th Report HL Paper 66 (Session 2000-2001)

EXPLANATORY MEMORANDA 11445/01

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important - cleared	Date: 31 October 2001 Report ref: (21886)(22675) HC 152 - iii (Session 2001-01) Paragraph 5	Sifted to Sub-Committee D	Date: 17 October 2001
		Cleared (Sub-Committee D)	Date: 14 November 2001

COUNCIL DIRECTIVE 95/53/EC

Legislation	Council Directive 95/53/EC
Adopted	25 October 1995
Official Journal	L265 of 8 November 1995(Page 17-22)
Explanatory Memoranda	9612/93 of 30 November 1993 8897/94 of 29 September 1994

EXPLANATORY MEMORANDUM 9612/93

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 15 December 1993	Cleared (List A)	Date: 6 December 1993

EXPLANATORY MEMORANDUM 8897/94

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 19 October 1994	Cleared (List A)	Date: 10 October 1994

COUNCIL DIRECTIVE 70/373/EEC

Legislation	Council Directive 70/373/EEC
Adopted	20 July 1970
Official Journal	L170 of 3 August 1970 (Page 2 – 3)
Explanatory Memoranda	No Details available

COUNCIL DIRECTIVE 89/397/EEC

Legislation	Council Directive 89/397/EEC
Adopted	14 June 1989
Official Journal	L186 of 30 June 1989 (Page 23-26)
Explanatory Memoranda	4101/87 6442/89 5028/88

EXPLANATORY MEMORANDUM 6442/89

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Deferred	Date: 19 April 1989	Listed 'A'	Date: 2 May 1989
Not legally or politically important – cleared	Date: 3 May 1989		

COUNCIL DIRECTIVE 93/99/EEC

Legislation	Council Directive 93/99/EEC
Adopted	29 October 1993
Official Journal	L290 of 24 November 1993 (Page 14 – 17)
Explanatory Memoranda	4690/92 of 6 March 1992 11221/92 of 29 February 1993 9990/93 of 3 February 1994 6007/98 of 12 March 1998

EXPLANATORY MEMORANDUM 4690/92

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important not for debate	Date: 11 March 1992 Report ref: (13524) HC 24-xv (Session 1991-92) Paragraph 16	Cleared without Report (List A)	Date: 9 March 1992

EXPLANATORY MEMORANDUM 11221/92

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important not for debate	Date: 3 February 1993 Report ref: (14248) HC 79-xvii (Session 1992-93) Paragraph 6	Cleared without Report (List A)	Date: 8 February 1993

EXPLANATORY MEMORANDUM 9990/93

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 9 February 1994	Cleared without Report (List A)	Date: 7 February 1994

EXPLANATORY MEMORANDUM 6007/98

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Date: 1 April 1998		Cleared without Report (List A)	Date: 16 March 1998

COUNCIL DIRECTIVE 89/662/EEC

Legislation	Council Directive 89/662/EEC
Adopted	11 December 1989
Official Journal	L395 of 30 December 1989 (Page 13 – 22)
Explanatory Memoranda	8062/88 of 7 November 1988 8062/88 SEM of 13 December 1988 8062/88 2 nd SEM of 26 March 1990 8062/883 rd SEM of 27 April 1990 8062/88 4 th SEM of 13 June 1990

EXPLANATORY MEMORANDUM 8062/88**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons		Lords	
Politically important not for debate	Date: 9 November 1988 Report Ref : (10534) HC 43-xxxix Session 1987-1988 paragraph 9	Referred to Sub-Committees D & E: (List B)	Date : 14 November 1988
Debated	Date : 5 June 1990 2nd Standing Committee on European Community Documents	Cleared without Report (List C)	Date : 27 January 1989 Committees D & E

EXPLANATORY MEMORANDUM 8062/88 AND SUPPLEMENTARIES**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons
At its meeting on 9 November 1988, The House of Commons Select Committee on European Legislation considered the subject of Explanatory Memorandum 8062/88 to be politically important but not for debate ([10534] HC 43-xxxix[Session 1987 –1988] Paragraph 9). At its meeting on 20 December 1989, the Committee also considered the first Supplementary Explanatory Memorandum to be politically important but not for debate. However, at its meeting on 9 May 1990, the Committee considered the subject of both the second and third Supplementary Explanatory Memoranda to be politically important and recommended the proposal for debate ([10534] HC 11-xxi [Session 1989-90] Paragraph 1). At its meeting on 13 June 1990, the Committee considered the fourth Supplementary Explanatory Memorandum and confirmed the earlier recommendation that the proposal was politically important and for debate ([10534] HC 11-xxv [Session 1989-90] paragraph 2.) The proposal was debated in the Second Standing Committee on European Community Documents.

Lords
At its meeting on 14 November 1988, the House of Lords Select Committee on the European Communities referred Explanatory Memorandum 8062/88 to Sub-Committees D and E where it cleared on 27 January 1989. At its meeting on 18 December 1989 and 26 March 1990 respectively, the Committee referred the first and second Supplementary Memoranda to Sub-Committee D and they were subsequently debated, together with the original Explanatory Memorandum, on 5 April 1990. The first and second Supplementary Memoranda were cleared by Sub-Committee D on 24 April 1990. At its meeting on 30 April and 18 June 1990 respectively, the Committee referred the third and fourth Supplementary Explanatory Memoranda to Sub-Committee D and they were subsequently cleared without report on 4 December 1990.

COUNCIL DIRECTIVE 96/43/EC

Legislation	Council Directive 96/43/EC
Adopted	26 June 1996
Official Journal	L8 of 11 January 1997 (Page 32)
Explanatory Memoranda	11316/95 of 23 October 1995 SEM 11316/95 of 2 February 1996

EXPLANATORY MEMORANDUM 11316/95**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons		Lords	
Politically important – not for debate at this stage – further information requested	Date: 1 November 1995 Report Ref : (16491) HC 70-xxvi (Session 1994-95) Paragraph 9	Cleared (List A)	Date : 30 October 1995

SUPPLEMENTARY EXPLANATORY MEMORANDUM 11316/95**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons		Lords	
Politically important – not for debate	Date: 14 February 1996 Report Ref : (16491) HC 51-ix (Session 1995-96) Paragraph 7	Cleared (List A)	Date : 5 February 1996

Part 2

PARLIAMENTARY SCRUTINY HISTORY RELEVANT TO A PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL CONCERNING OFFICIAL FEED AND FOOD CONTROLS

EUROPEAN PARLIAMENT AND COUNCIL REGULATION No. 178/2002

Legislation	European Parliament and Council Regulation No. 178/2002
Adopted	28 January 2002
Official Journal	L31 of 1 February 2002 (Page 1 – 24)
Explanatory Memoranda	5761/00 of 2 February 2000 14174/00 of 21 January 2001 11445/01 of 11 October 2001

EXPLANATORY MEMORANDUM 5761/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – for debate	Date: 1 March 2000 Report ref: (20875) HC 23 – x (Session 1999-2000) Paragraph 2	Referred to Sub-Committee (List B)	Date: 8 February 2000 Sub-Committee D
Debated in European Standing Committee C	Date: 12 April 2000	Recommended for debate	Date: 16 May 2000 7 th Report HL Paper 66 (Session 1999-2000)
		Debated	Date: 23 June 2000

EXPLANATORY MEMORANDUM 14174/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important – for debate on the floor of the House	Date: 14 March 2001 Report Ref: (21886) HC 28 – viii (Session 2000-2001) Paragraph 1	Referred to Sub-Committee	Date: 21 January 2001 Sub-Committee D
Legally and politically important - cleared	Date: 31 October 2001 Report Ref: (21886) HC 152 – iii (Session 2001 – 2002) Paragraph 5	Cleared	Date: 23 March 2001 10 th Report HL Paper 66 (Session 2000-2001)

EXPLANATORY MEMORANDUM 11445/01

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important - cleared	Date: 31 October 2001 Report ref: (21886)(22675) HC 152 - iii (Session 2001-01) Paragraph 5	Sifted to Sub-Committee D	Date: 17 October 2001
		Cleared (Sub-Committee D)	Date: 14 November 2001

COUNCIL DIRECTIVE 95/53/EC

Legislation	Council Directive 95/53/EC
Adopted	25 October 1995
Official Journal	L265 of 8 November 1995(Page 17-22)
Explanatory Memoranda	9612/93 of 30 November 1993 8897/94 of 29 September 1994

EXPLANATORY MEMORANDUM 9612/93

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 15 December 1993	Cleared (List A)	Date: 6 December 1993

EXPLANATORY MEMORANDUM 8897/94

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 19 October 1994	Cleared (List A)	Date: 10 October 1994

COUNCIL DIRECTIVE 99/20/EC (LAST AMENDMENT TO COUNCIL DIRECTIVE 95/53/EC)

Legislation	Council Directive 99/20/EC
Adopted	22 March 1999
Official Journal	L80 of 25 March 1999 (Page 20- 21)
Explanatory Memoranda	10514/98 of 5 October 1998

EXPLANATORY MEMORANDUM 10514/98

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important - cleared	Date: 21 October 1998	Cleared (List A)	Date: 12 October 1998

COUNCIL DIRECTIVE 70/373/EEC

Legislation	Council Directive 70/373/EEC
Adopted	20 July 1970
Official Journal	L170 of 3 August 1970 (Page 2 – 3)
Explanatory Memoranda	No Details available

COUNCIL DIRECTIVE 89/397/EEC

Legislation	Council Directive 89/397/EEC
Adopted	14 June 1989
Official Journal	L186 of 30 June 1989 (Page 23-26)
Explanatory Memorandum	4101/87 6442/89 5028/88

EXPLANATORY MEMORANDUM 6442/89**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons		Lords	
Deferred	Date: 19 April 1989	Listed 'A'	Date: 2 May 1989
Not legally or politically important – cleared	Date: 3 May 1989		

COUNCIL DIRECTIVE 93/99/EEC

Legislation	Council Directive 93/99/EEC
Adopted	29 October 1993
Official Journal	L290 of 24 November 1993 (Page 14 – 17)
Explanatory Memoranda	4690/92 of 6 March 1992 11221/92 of 29 February 1993 9990/93 of 3 February 1994 6007/98 of 12 March 1998

EXPLANATORY MEMORANDUM 4690/92**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons		Lords	
Politically important not for debate	Date: 11 March 1992 Report ref: (13524) HC 24-xv (Session 1991-92) Paragraph 16	Cleared without Report (List A)	Date: 9 March 1992

EXPLANATORY MEMORANDUM 11221/92**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons		Lords	
Politically important not for debate	Date: 3 February 1993 Report ref: (14248) HC 79-xvii (Session 1992-93) Paragraph 6	Cleared without Report (List A)	Date: 8 February 1993

EXPLANATORY MEMORANDUM 9990/93

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important	Date: 9 February 1994	Cleared without Report (List A)	Date: 7 February 1994

EXPLANATORY MEMORANDUM 6007/98

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Date: 1 April 1998		Cleared without Report (List A)	Date: 16 March 1998

COUNCIL DIRECTIVE 92/118 (LAST AMENDMENT TO COUNCIL DIRECTIVE 89/662)

Legislation	Council Directive 92/118/EEC
Adopted	17 December 1992
Official Journal	L 62 of 15 March 1993 (Page 49)
Explanatory Memorandum	4796/90 of 12 March 1990 SEM 4796/90 of 12 June 1992

EXPLANATORY MEMORANDUM 4796/90

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – for debate in Standing Committee	Date: 28 March 1990 Report Ref: (11908) HC 11-xvi (Session 1989–90) Paragraph 10	Referred to Sub-Committee (List B)	Date: 19 March 1990 Sub-Committee B
Debated	Date: 5 June 1990	Cleared (List C)	Date: 24 April 1990

SUPPLEMENTARY EXPLANATORY MEMORANDUM 4796/90

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – not for debate	Date: 24 June 1992 Report Ref: (11908) HC 79-ii (Session 1992-93) Paragraph 4	Referred to Sub-Committee (List B)	Date: 22 June 1992 Sub-Committee B
		Cleared (List C)	Date: 27 October 1992

COUNCIL DIRECTIVE 97/78/EC

Legislation	Council Directive 97/78//EC
Adopted	18 December 1997
Official Journal	L24 of 30 January 1998 (Page 9 – 30)
Explanatory Memoranda	

COUNCIL DIRECTIVE 96/43/EC

Legislation	Council Directive 96/43/EC
Adopted	26 June 1996
Official Journal	L8 of 11 January 1997 (Page 32)
Explanatory Memoranda	11316/95 of 23 October 1995 SEM 11316/95 of 2 February 1996

EXPLANATORY MEMORANDUM 11316/95**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons		Lords	
Politically important – not for debate at this stage – further information requested	Date: 1 November 1995 Report Ref : (16491) HC 70-xxvi (Session 1994-95) Paragraph 9	Cleared (List A)	Date : 30 October 1995

SUPPLEMENTARY EXPLANATORY MEMORANDUM 11316/95**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons		Lords	
Politically important – not for debate	Date: 14 February 1996 Report Ref : (16491) HC 51-ix (Session 1995-96) Paragraph 7	Cleared (List A)	Date : 5 February 1996

COUNCIL DIRECTIVE 85/73/EEC

Legislation	Council Directive 85/73/EEC
Adopted	29 January 1985
Official Journal	L32 of 5 February 1985 (Page 14 – 15)
Explanatory Memoranda	No details available

EUROPEAN PARLIAMENT AND COUNCIL REGULATION (EC) No. 999/2001

Legislation	European Parliament and Council Regulation (EC) No. 999/2001
Adopted	22 May 2001
Official Journal	L.147 of 31 May 2001 (Page 1 – 40)
Explanatory Memoranda	

COUNCIL DIRECTIVE 89/662 (LAST AMENDED BY COUNCIL DIRECTIVE 92/118)

Legislation	Council Directive 89/662/EEC
Adopted	11 December 1989
Official Journal	L395 of 30 December 1989 (page 13)
Explanatory Memoranda	8062/88 of 7 November 1988 8062/88 SEM of 13 December 1988 8062/88 2nd SEM of 26 March 1990 8062/88 3rd SEM of 27 April 1990 8062/88 4th SEM of 13 June 1990

EXPLANATORY MEMORANDUM 8062/88 AND SUPPLEMENTARIES**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons
<p>At its meeting on 9 November 1988, The House of Commons Select Committee on European Legislation considered the subject of Explanatory Memorandum 8062/88 to be politically important but not for debate ([10534] HC 43-xxxix [Session 1987-88] paragraph 9). At its meeting on 20 December 1989, the Committee also considered the first Supplementary Explanatory Memorandum to be politically important but not for debate. However, at its meeting on 9 May 1990, the Committee considered the subject of both the second and third Supplementary Explanatory Memoranda to be politically important and recommended the proposal for debate ([10534] HC 11-xxi [Session 1989-9] paragraph 1). At its meeting on 13 June 1990, the Committee considered the fourth Supplementary Explanatory Memorandum and confirmed the earlier recommendation that the proposal was politically important and for debate ([10534] HC 11-xxv [Session 1989-90] paragraph 2). The proposal was debated in the Second Standing Committee on European Community Documents</p>

Lords
<p>At its meeting on 14 November 1988, the House of Lords Select Committee on the European Communities referred Explanatory Memorandum 8062/88 to Sub-Committees D and E where it cleared on 27 January 1989. At its meeting on 18 December 1989 and 26 March 1990 respectively, the Committee referred the first and second Supplementary Explanatory Memoranda to Sub-Committee D and they were subsequently debated, together with the original Explanatory Memorandum, on 5 April 1990. The first and second Supplementary Explanatory Memoranda were cleared by Sub-Committee D on 24 April 1990. At its meeting on 30 April and 18 June 1990 respectively, the Committee referred the third and fourth Supplementary Explanatory Memoranda to Sub-Committee D and they were subsequently cleared without report on 4 December 1990.</p>

COUNCIL DIRECTIVE 91/67/EEC (LAST AMENDED BY COUNCIL DIRECTIVE 98/45/EC)

Legislation	Council Directive 91/67/EEC
Adopted	28 January 1991
Official Journal	L 46 of 19 February 1991 (Page 1)
Explanatory Memorandum	4783/90 of 14 March 1990

EXPLANATORY MEMORANDUM 4783/90

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Politically important – for debate in Standing Committee	Date: 28 March 1990 Report Ref: (11892) HC 11-xvi (Session 1989 - 90) Paragraph 6	Referred to Sub-Committee (List B)	Date: 19 March 1990
Debated with 4699/90 and 4779/90	7 June 1990	Cleared without report (List C)	Date: 24 April 1990

COUNCIL DIRECTIVE 98/45/EC (LAST AMENDMENT TO COUNCIL DIRECTIVE 91/67/EEC)

Legislation	Council Directive 98/45/EC
Adopted	24 June 1998
Official Journal	L 189 of 3 July 1998 (Page 12)
Explanatory Memorandum	8823/96 of 30 July 1996

EXPLANATORY MEMORANDUM 8823/96

SCRUTINY COMMITTEES' RECOMMENDATIONS

7.1 Commons		Lords	
Not legally or politically important	Date: 16 October 1996	Cleared (List A)	Date: 9 October 1996

COUNCIL DIRECTIVE 93/43

Legislation	Council Directive 93/43
Adopted	14 June 1993
Official Journal	L 175 of 19 July 1993 (Page 1)
Explanatory Memorandum	Dept of Health lead

EXPLANATORY MEMORANDUM 10427/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important – for debate in European Standing Committee C	Date: 17 January 2001 Report Ref. (21499) HC 28-iii (Session 2001) Paragraph 1 (Third Report of Session 2000-2001)	Referred to Sub-Committee (List B)	Date: 3 October 2000
Legally and politically important – cleared	Date: 3 May 2002 Report Ref. 21499 HC 152 – xxv and HCP 152 – xxvi 25 th and 26 th Reports of Session 2001 – 2002	Cleared without report	Date: 27 October 2000

EXPLANATORY MEMORANDUM 10427/00

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important – for debate in European Standing Committee C	Date: 17 January 2001 Report Ref. (21499) HC 28-iii (Session 2001) Paragraph 1 (Third Report of Session 2000-2001)	Referred to Sub-Committee (List B)	Date: 3 October 2000
Legally and politically important – cleared	Date: 3 May 2002 Report Ref. 21499 HC 152 – xxv and HCP 152 – xxvi 25 th and 26 th Reports of Session 2001 – 2002	Cleared without report	Date: 27 October 2000

EXPLANATORY MEMORANDA 8868/02 & 8869/02

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Not legally or politically important - cleared	Date: 26 June 2002 Report Refs. (23566 & 23567) HC 152-xxxiv (Session 2001-02) Paragraph 16	Cleared	Date: 25 June 2002 (Sift 1108)

COUNCIL DIRECTIVE 96/23/EC

Legislation	Council Directive 96/23/EC
Adopted	29 April 1996
Official Journal	L125 of 23 May 1996 (Page 10 – 32)
Explanatory Memoranda	8988/93 Part II

EXPLANATORY MEMORANDUM 8988/93 PART II

SCRUTINY COMMITTEES' RECOMMENDATIONS

Commons		Lords	
Legally and politically important- not for debate	Date: 19 January 1993 Report Ref : (14869) HC 48 –iv (Session 1993-94) Paragraph 5	Referred to Sub-Committee (List B)	Date: 10 January 1994 Sub-Committee D
		Cleared (List F cleared by letter to the Minister)	Date: 29 March 1994

COUNCIL REGULATION (EC) No. 882/2004

Legislation	Regulation (EC) No. 882/2004 of the European Parliament and of the Council
Adopted	29 April 2004
Official Journal	L165 of 30 April 2004, p. 1 (corrected version: OJ L 191, 28.5.2004, p.1)
Explanatory Memoranda	6090/03 of 3 March 2003 SEM 6090/03 of 1 April 2004

EXPLANATORY MEMORANDUM 6090/03**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons		Lords	
Legally and politically important - For debate	Date: 29.10.2003 Report ref: HC 63-xxxiv, paragraph 2	Sifted to sub-Committee D in Sift 1135 Held under scrutiny (see Progress of Scrutiny Report of 01.12 2003)	Date: 11.03.2003

SUPPLEMENTARY EXPLANATORY MEMORANDUM 6090/03**SCRUTINY COMMITTEES' RECOMMENDATIONS**

Commons		Lords	
Legally and politically important - Cleared on basis of SEM and Minister's letter.	Date: 01.04.2004 Report ref: HC 42-xvii, paragraph 15	Sifted to sub-Committee D in Sift 1176 Cleared by Chair of EU Committee	Date: 06.04.2004 Date: 23.04.2004

**CONSULTATION ON MEASURES TO IMPLEMENT MINIMUM MEAT HYGIENE
OFFICIAL CONTROL FEES IN APPROVED MEAT ESTABLISHMENTS
THE MEAT (OFFICIAL CONTROLS CHARGES) (ENGLAND) (NO.2)
REGULATIONS 2007**

Summaries of consultation responses from stakeholders by issue

1. Consultation took place from 25 July 2007 until close of business on 24 October 2007 (extended by one week because of postal disruption). The consultation package was sent to around 100 stakeholders in England. In addition, around 750 operators of approved slaughterhouses, game handling establishments and meat cutting businesses were sent a letter alerting them to the consultation and giving them the opportunity to respond to it either directly or via a representative organisation. One substantive response was received.

2. We are grateful for the comments received and have considered them in finalising the national legislation. The full consultation package is available on the FSA website at:

<http://www.food.gov.uk/consultations/consulteng/2007/meatcharges2007/england>

3. The key proposals on which the consultation sought views were:

- i. to implement the throughput categories required by the OFFC Regulation. Most national throughput categories are already compliant with the OFFC Regulation's provisions, but the categories for cattle need to change by 1 January 2008 from bovine animals of more or less than 6 weeks of age at slaughter to young and adult bovine animals (adult being aged 8 months or more at slaughter);
- ii. to increase certain throughput charge rates applicable to meat hygiene and animal welfare official controls in approved meat establishments by the minimum amounts necessary to achieve compliance with the OFFC Regulation. The throughput charge rates applicable to adult bovines, boars, low/middle weight ruminants (other than cattle, sheep and goats) and low/middle weight turkeys, need to be increased to the required EC minimum level of charge by 1 January 2008; and
- iii. to state all throughput charge rates in £ Sterling, instead of in Euros.

4. The table below summarises the responses to the consultation in terms of the specific questions posed. The Food Standards Agency's considered responses to stakeholders' comments are given in the last column of the table.

5. A list of stakeholders who responded can be found at the end of the document.

Note - This table provides a summary of the consultation responses only. Copies of the individual responses have been filed with the Agency's Library and Information Service.

ISSUE – request for information on the number of cattle that are slaughtered between 6 weeks and 8 months of age that would be charged at the rate that currently applies to cattle aged less than 6 weeks at slaughter.			
Respondent	Method of Response	Comment	FSA Response
None			

ISSUE - request for information on the impact of the proposed throughput charge rate increases for boars and ruminants (other than cattle, sheep and goats, i.e. mainly deer) on those slaughter houses that process these animals.			
Respondent	Method of Response	Comment	Response
None			

ISSUE - request for views on whether to make the minimum changes to the charging structure for ruminants (other than cattle, sheep and goats), as was proposed, or whether to charge a single rate. We asked this because applying the minimum OFFC throughput fee for these ruminants requires a charge of £0.3371 for each animal with a carcass weight of no more than 18kg (i.e. to amalgamate the current “less than 12kg” and “12 - 18kg categories”). This leaves the current rate for animals over 18kg (£0.3534) only a little higher than the fee for the smaller animals.			
Respondent	Method of Response	Comment	Response
None			

ISSUE – request for information on the impact of the proposed throughput charge rate increase for turkeys for which we have insufficient data to carry out a detailed analysis.

Respondent	Method of Response	Comment	Response
British Poultry Council	Face to face meeting and letter.	<p>Believes that 90% of turkeys in the UK are slaughtered in species specific slaughterhouses, which should enable the total number of turkeys subject to official controls to be broken down by weight categories for a detailed analysis of the effect of the increase in charge rates.</p> <p>Considers that the lack of an impact assessment in relation to turkeys is an unacceptable basis from which to make changes to the charging system for turkeys.</p>	<p>A detailed analysis of the charge increase by weight category cannot currently be carried out across the poultry sector. This is because businesses may be approved to slaughter several species of birds.</p> <p>As the current throughput charge rates are the same for all bird species, the total throughput of all species by the three different weight categories is recorded. This is to minimise the administrative burden on multi-species operators and on running the charging system.</p> <p>The analysis in the Impact Assessment is based on the estimated total number of turkey slaughterings (drawn from Defra slaughter statistics for 2006). It is likely to slightly overestimate the total cost to the turkey sector as it was not possible to take account of the number of adult turkeys weighing at least 5kg that are slaughtered and for which no increase in the throughput charge rate was proposed.</p>

ISSUE - request for information on the impact of the proposed throughput charge rate increases for boars and ruminants (other than cattle, sheep and goats, i.e. mainly deer) processed by game-handling establishments for which we have insufficient data to carry out a detailed analysis.

Respondent	Method of Response	Comment	Response
None			

ISSUE - request for information on typical numbers of animals processed by low throughput slaughterhouses and game handling establishments.

Respondent	Method of Response	Comment	Response
None			Examples of the effect of the proposed increase in charges per week for micro and small businesses have been added to the final Impact Assessment using throughput numbers derived from Meat Hygiene Service' data.

OTHER COMMENTS:

Respondent	Method of Response	Comment	Response
British Poultry Council	Face to face meeting and letter.	<p>Acknowledged the legal necessity to implement the requirements of the OFFC Regulations.</p> <p>Considers that the proposed increase of 19% in Sterling (25% in Euros) in the minimum rate for turkeys of any weight (except those that are adult and weigh at least 5kg) is untenable at this time.</p>	<p>Noted.</p> <p>The proposed increase in both £ Sterling (from £0.0142 to £0.0169) and in Euros (from €0.0210 to €0.0250) is 19%.</p> <p>The increase is being implemented as close as possible to the 1 January 2008 deadline required by EC law (one day early to coincide with the start of the Meat Hygiene Services January charging period).</p> <p>In response to a point made in discussion with the BPC we have reviewed the increased cost of these proposals to the turkey sector and confirm the figure of £46,000 per annum or 1.5% of the current charge, as stated in the consultation Impact Assessment.</p>

<p>British Poultry Council (continued)</p>		<p>Feels that the minimum rate stipulated in the OFFC Regulations is already being met by the UK Government. Requests consideration be given to:</p> <p>i. charging a single rate for turkeys rather than a higher rate for an estimated 250,000 adult turkeys weighing at least 5kg;</p>	<p>Assuming that all turkeys would be processed at plants that pay throughput charge rates (i.e. not time costs), this would reduce the total charge from around £290k to £287k, a reduction of less than £3k to the GB turkey sector. Also, charging a single rate would be contrary to the FSA policy of making the minimum changes to throughput categories at this time given the intention to introduce a new system of charging from April 2009. We are not persuaded that the reduction in total turkey charges is sufficient to justify this, particularly as to do so would be counter to the need for industry to pay an increasing proportion of official control costs.</p>
		<p>ii. comply with the OFFC minima for turkey slaughtering and cutting by introducing a single throughput charge rate for those activities when they are carried out at a single establishment.</p> <p>Believes that item ii would comply with the stipulation in the OFFC Regulations that, when several official controls are carried out at the same time in a single establishment, those controls shall be considered a single activity and that a single fee should be charged.</p>	<p>Disagree,</p> <p>1. The OFFC regulation stipulates different throughput charge categories and rates for slaughtering and cutting with the clear implication that the charge for each must be calculated separately. The FSA considers that Article 27.7 is to prevent double-charging, which would be contrary to Article 27.4. Article 27.7 would be engaged when two or more sets of official controls are carried out on a single occasion in the same establishment and, as a result, only one set of</p>

			<p>official controls costs is incurred - rather than two, as would be the case had the official controls been carried out on <i>separate</i> occasions.</p> <p>2. Introducing the suggested system for co-located slaughtering and cutting plants would be inconsistent and unfair (and thus not sound legally) in respect of stand-alone cutting plants that process turkey meat and of turkey slaughterers that do not cut turkey meat.</p> <p>3. Introducing the suggested system would be contrary to the FSA policy of making the minimum changes to throughput categories at this time, given the Agency's intention to introduce a new system of charging from April 2009, and would be complex to implement.</p>
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SUMMARY OF CHANGES MADE: none.

ACTIONS TO BE IMPLEMENTED:

The Meat Hygiene Service will configure the charging database to reflect, from 31 December 2007, the revised throughput categories and throughput charge rates.

List of respondents

British Poultry Council

Meat Livestock Commission

No comments.

Summary: Intervention & Options

Department /Agency: Food Standards Agency	Title: Impact Assessment of measures to implement minimum meat hygiene official control fees in approved meat establishments.	
Stage: Final Proposal	Version: No.1	Date: 12 November 2007
Related Publications:		

Available to view or download at:

<http://www.food.gov.uk/consultations/>

Contact for enquiries: Sandie Yeats

Telephone: 0207 276 8326

What is the problem under consideration? Why is government intervention necessary?

From 1 January 2008 Regulation (EC) 882/2004 on Official Feed and Food Controls (the EC OFFC Regulation) requires that minimum charges for stipulated throughput categories be made in all Member States for meat hygiene controls at approved meat establishments.

The regulations are required to achieve continued compliance with the EC OFFC requirement, by the due date. Not to do so would incur the risk of infraction proceedings being taken against the UK, would be contrary to Government policy regarding the implementation of EC law and would tend to undermine the purpose of the EC OFFC regulation that limits the variance of charging practices in Member States, which would be anti-competitive.

What are the policy objectives and the intended effects?

To implement by 1 January 2008 the throughput categories and minimum standard charge rates applicable to meat hygiene and animal welfare official controls in approved meat establishments as required by the EC OFFC Regulation.

What policy options have been considered? Please justify any preferred option.

1. Do nothing.
2. Implement the throughput categories and the increase standard charge rates applicable to meat hygiene and animal welfare official controls in meat premises by the minimum amount necessary to achieve continued compliance with the EC OFFC Regulation by the due date.
3. Implement the throughput categories and increase standard charge rates by more than the minimum necessary.

Preferred option (no.2) would achieve continued compliance with EC law whilst limiting increases to charges to the minimum possible under EC law.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?

June 2008.

Ministerial/CE Sign-off: for final proposal/implementation Impact Assessments

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister/Chief Executive*

Dawn PrimaroloDate: 28th November 2007

*for Impact Assessments undertaken by non-Ministerial Departments/Agencies and NOT being considered by Parliament

Summary: Analysis & Evidence

Policy Option: 2	Description: implement throughput categories and to increase meat hygiene official controls fees by the minimum amount required by EC law.
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COSTS	ANNUAL COSTS		Description and scale of key monetised costs by 'main affected groups' Red meat establishments (bovines, "other" ruminants*, boars) £329k, Poultry establishments (turkeys) £46k, Game handling establishments ("other" ruminants*) £5.5k and (boars) £insignificant (GB data). * Mainly deer.
	One-off (Transition)	Yrs	
	£ None		
	Average Annual Cost (excluding one-off)		
	£ 380,500		
Total Cost (PV)			£ 380,500
Other key non-monetised costs by 'main affected groups'			

BENEFITS	ANNUAL BENEFITS		Description and scale of key monetised benefits by 'main affected groups' Reduced cost to taxpayers.
	One-off	Yrs	
	£ None		
	Average Annual Benefit (excluding one-off)		
	£ 380,500		
Total Benefit (PV)			£ 380,500
Other key non-monetised benefits by 'main affected groups'			

Key Assumptions/Sensitivities/Risks IA based on actual throughput. Assumption that throughput will remain constant.

Price Base Year 2007	Time Period Years one	Net Benefit Range (NPV) £ 0 (costs transfer)	NET BENEFIT (NPV Best estimate) £ 0
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What is the geographic coverage of the policy/option?		UK		
On what date will the policy be implemented?		31/12/2007		
Which organisation(s) will enforce the policy?		FSA (MHS GB)/DARD (NI)		
What is the total annual cost of enforcement for these organisations?		No Change		
Does enforcement comply with Hampton principles?		Yes		
Will implementation go beyond minimum EU requirements?		N/A		
What is the value of the proposed offsetting measure per year?		£ N/A		
What is the value of changes in greenhouse gas emissions?		£ N/A		
Will the proposal have a significant impact on competition?		No		
Annual cost (£-£) per organisation (excluding one-off)	Micro £300	Small £450	Medium £3,200	Large £7,150
Are any of these organisations exempt?	No	No	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)				(Increase - Decrease)
Increase	£ Negligible	Decrease	£ Nil	Net £ Negligible

Key: Annual costs and benefits: Constant Prices (Net) Present Value

Evidence Base (for summary sheets)

Introduction

1. The proposal is for a Statutory Instrument titled: the Meat (Official Controls Charges) (England) (No.2) Regulations 2007. The objective of the proposed regulations is to implement in England the financing provisions of Regulation (EC) 882/2004 on Official Feed and Food Controls (the EC OFFC Regulation¹) that relate to the requirement to charge minimum fees, for specified throughput categories, for meat hygiene official controls at approved meat establishments by 1 January 2008. The proposed regulations will apply in England only. Scotland, Wales and Northern Ireland will make similar legislation.
2. The charges to which this IA relates are currently implemented in England by the Meat (Official Controls Charges) (England) Regulations 2007 (current regulations) and by similar regulations in Scotland, Wales and Northern Ireland. In Great Britain (GB), these charges are paid by food business operators (FBOs) to the Meat Hygiene Service (MHS), an Executive Agency of the Food Standards Agency and the effects of the policy are assessed on a GB basis in this IA unless otherwise stated.
3. The current regulations make use of a transitional provision in the EC OFFC Regulation which permits Member States to retain the Community fees of Council Directive 85/73 until 1 January 2008, though from 1 January 2007 they became minima rather than fixed amounts.
4. From 1 January 2008, the transitional arrangements of the EC OFFC will cease and amended domestic legislation is required to implement the EC OFFC throughput categories and to increase some of the current standard charge rates so that at least the specified EC OFFC minima are charged. The majority of the current rates applicable in England and the rest of the UK are above the OFFC minima and the proposed regulations would not increase these.
5. In implementing the EC OFFC throughput categories, the regulations will maintain the current charges structure (i.e. that derived from Council Directive 85/73) insofar as this is possible. This enables the regulations to continue to specify different standard charge rates for different weights of animals (e.g. poultry) so that current differentials are maintained, as far as possible, to take into consideration the types of businesses concerned, as required by Article 27.5 of the EC OFFC Regulation. However, the OFFC throughput categories for cattle are not the same as the current ones. This will result in a small number of cattle being charged at a lower rate than hitherto.
6. The changes to the current regulations that are required to meet OFFC requirements from 1 January 2008 are set out on the table in the attached Annex. They will affect slaughterhouses that process cattle, boars and some ruminants (mainly deer), slaughterhouses that process turkeys and game handling establishments that process boars and/or ruminants (mainly deer).
7. All operators will continue to pay the lesser of a charge calculated from hourly rates (time costs) or from standard charge rates (throughput charge).
8. This IA takes account of responses to a public consultation on a draft statutory instrument to achieve the objectives set out above.
9. The MHS will remain responsible in GB for administering the meat hygiene charging provisions set out in the Regulations and for their enforcement, for sanctions and for monitoring. The total cost of this work is estimated to be £1.6 million per annum, which will be unchanged by the proposed Regulations. The Department of Agriculture and Rural Development (DARD) will continue to have operational responsibility for the similar charges Regulations applicable in Northern Ireland.

¹ Regulation (EC) No 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules.

Options

10. The options considered to implement the EC OFFC Regulation requirements in England are:
- i. Option 1 - do nothing;
 - ii. Option 2 - implement the throughput categories and minimum standard charge rates applicable to meat hygiene and animal welfare official controls in approved meat establishments, as required by the EC OFFC Regulation;
 - iii. Option 3 - implement the requirements of the EC OFFC Regulation as described in Option 2, but increase the standard charge rates by more than the amount needed to ensure compliance with the required minima.

Analysis of options

11. The analysis is that:
- i. Option 1 (doing nothing) would breach an EU obligation to apply the EC OFFC Regulation and leave the UK open to infraction proceedings by the Commission for failing to comply with the meat hygiene and animal welfare official controls charges requirements of the Regulation (which might have cost implications).
 - ii. Option 2 would ensure continuing compliance with EC law. There are no additional administrative costs or any social or environmental impacts associated with this option.
 - iii. Option 3 would ensure continuing compliance with EC law. However, increasing the charges by more than is required by the EC OFFC Regulation to bring them closer to the recovery of official control costs is not proposed at this stage. The need to increase charges further will be considered for implementation from the start of the 2008/09 financial year.

Option 2 is proposed.

Costing of options

Impact on red meat slaughterhouses

12. Red meat slaughterhouses will be affected by a 6.2% increase in the standard charge rate for adult bovines from £3.18 to £3.38 (at the current exchange rate²).
13. The total charge for the red meat slaughterhouse sector is estimated to increase by £329k per annum or 1.8%. The impact will be small on average, but will vary across plants depending on their degree of specialisation in the slaughter of cattle. In relative terms, large plants will be the least affected by implementation of the OFFC minima, which is explained by the fact that eighteen of them are charged time-costs. The absolute increase in charge affecting micro plants³ will also be small on average (£23 per annum), although the impact may vary significantly across plants depending on their degree of specialisation in the slaughter of cattle.

² All proposed increases in throughput rates from 31 December 2007 have been converted from Euros to Sterling at the exchange rate applicable to 2007, i.e. as published in the C Series of the Official Journal of the European Communities on 4 September 2007 (Euro/Sterling 0.67575).

³ See footnote 5 on page 5.

14. The estimates do not take account of the fact that the OFFC throughput categories for bovines are not the same as the current ones. This change will result in cattle that are slaughtered between 6 weeks and 8 months of age being charged the throughput rate that currently applies to animals aged less than six weeks at slaughter. They will be charged £1.77 per animal rather than the current charge of £3.18, a reduction of 44%. It is not known how many cattle between these ages are slaughtered, though the number is relatively small.
15. In addition to the changes regarding cattle, some slaughterhouses will be affected by increases in four of the standard charge rates:
- the rate for boar weighing less than 25 kg will increase from £0.3534 to £1.0136 (187%);
 - the rate for boar weighing 25 kg and more will increase from £0.9189 to £1.0136 (+10%).
 - the rate for ruminants (other than cattle, sheep and goats) weighing less than 12 kg will increase from £0.1237 to £0.3379 (+173%);
 - the rate for ruminants (other than cattle, sheep and goats) weighing between 12 and 18kg inclusive will increase from £0.2474 to £0.3379 (+37%);

Only a small number of boars and these ruminants (less than 1500 in total) are processed by slaughterhouses and we estimate that the total increase in charge on account of this will be very small (less than £200). Furthermore, as some of the plants may be paying time costs, the overall increase in the final charge may be even less than £200 across all plants.

Table 1: Increase in hygiene charges paid by red meat slaughterhouses in GB⁴

	Plant type ⁵				
	Micro	Small	Medium	Large	All
	74 plants	74 plants	74 plants	74 plants	296 plants
Pre-OFFC 2007/8 charge (annualised)	54	407	2,672	15,398	18,531
Average per plant (£k)	0.7	5.5	36.1	208.1	62.6
Average per animal unit (£)	2.1	2.1	2.1	1.9	2.0
Number of plants charged time cost	0	0	0	18	18
Post-OFFC 2007/8 charge (annualised)	56	416	2,747	15,641	18,860
Average per plant (£k)	0.8	5.6	37.1	211.4	63.7
Average per animal unit (£)	2.2	2.2	2.2	2.0	2.0
Number of plants charged time cost	0	0	0	20	20
Increase in total charge					
Absolute (£k)	2	9	75	243	329
Relative (%)	3.1%	2.3%	2.8%	1.6%	1.8%

⁴ Due to roundings, the numbers do not necessarily calculate to the figures shown.

⁵ 1. The four size categories of plants are based on annual throughput quartiles. Micro plants process fewer than 895 Animal Units, small plants process between 895 and 6,561 Animal Units, medium-sized plants process between 6,562 and 32,613 Animal Units, and large plants process more than 32,613 Animal Units. The annual cost estimates in the Summary on page 2 relate to the standard definitions of micro = up to 10 staff, small = 11–50 staff, medium = 51–250 staff and large = more than 250 staff.

2. **Please note that the annual cost estimates in the Summary on page 2** relate to the standard definitions of micro = up to 10 staff, small = 11–50 staff, medium = 51–250 staff and large = more than 250 staff

3. **The Summary figures** should be treated with caution, however, because they reflect the situation of red meat slaughterhouses only, as employment data for the other types of plants is not available. In addition, the figures were estimated from employment information for 27 medium-sized and large firms, from which was inferred an average number of employees per Animal Unit (AU). This average was then applied to all plants to estimate the number of employees. This procedure is likely to over-estimate the number of micro and small firms (because those firms probably have relatively more employees per AU than larger ones, given the economies of scale in the sector). In addition, the figures could be misleading because, for example, cutting plants are numerous, but will be subject to much smaller increases in charge than suggested by the tables

Impact on poultry slaughterhouses

16. Implementation of the OFFC minima will only affect the poultry sector through the need for an increase in throughput rates for turkeys:
 - i. the rate for turkeys weighing less than 2kg will need to rise by 138% from £0.0071 to £0.0169.
 - ii. the rate for young turkeys weighing more than 2kg and adult turkeys weighing 2-5kg will need to rise by 19% from £0.0142 to £0.0169.

Detailed analysis of the charge increase cannot be carried out from MHS data as throughput is currently not recorded separately for turkeys. In addition, it is not possible to establish from the data which businesses solely slaughter turkeys, as all poultry slaughterhouses may be approved to slaughter several species of birds. However, it is clear that the first rate increase, while high in percentage terms, is almost irrelevant as the vast majority of turkeys weigh more than 2kg at slaughter⁶. The second rate increase is expected to apply to most of the turkeys slaughtered in GB⁷, which is estimated to be in the range of 17 million birds.

17. The increase in charges paid by poultry slaughterhouses is estimated to be £46k per annum, or 1.5% of the current charge. This increase, in spite of the 19% increase in the standard charge rate, is explained by the fact that turkeys only account for 2% of all poultry slaughtered in GB.
18. Altogether, the economic impact on poultry slaughterhouses is expected to be small and comparable in magnitude to that described for red meat abattoirs. However, there could be a particularly adverse effect on plants specialising in the slaughter of turkeys.

Impact on Game-Handling Establishments

19. Game-handling establishments will also be affected by increases in four of the standard charge rates:
 - i. the rate for boar weighing less than 25 kg will increase from £0.3534 to £1.0136 (187%);
 - ii. the rate for boar weighing 25 kg and more will increase from £0.9189 to £1.0136 (+10%).
 - iii. the rate for ruminants (other than cattle, sheep and goats) weighing less than 12 kg will increase from £0.1237 to £0.3379 (+173%);
 - iv. the rate for ruminants (other than cattle, sheep and goats) weighing between 12 and 18kg inclusive will increase from £0.2474 to £0.3379 (+37%);

The assessment of impact on game-handling establishments is tentative as it relies on an MHS data set for the period December 2004 to November 2005. With that caveat, the total charge to game-handling establishments is estimated to increase by £5,488 (or 14.9%). However, establishments that concentrate on the processing of roe and fallow deer (the main types included in ruminants weighing between 12 and 18kg inclusive) will be affected the most, as relatively few of the other categories of animals that are affected by increased rates are processed. In particular, there are few boars existing in the wild in GB and very low numbers have been presented to game handling establishments for processing.

⁶ The average weight of a turkey at slaughter in the UK was 12.8 kg in 2006 according to DEFRA's slaughter statistics.

⁷ It is estimated that about 250,000 turkeys are slaughtered that are adult and weigh at least 5kg.

Table 2: Increase in hygiene charges paid by Game Handling Establishments in GB⁸

	Lower half of all plants ⁹	Upper half of all plants	All plants
Number of establishments	23	24	47
Pre-OFFC 2007/8 charge (annualised)	1,161	35,587	36,748
Average per plant (£k)	50	1,483	782
Number of plants charged time cost	0	6	6
Post-OFFC 2007/8 charge (annualised)	1,202	41,034	42,235
Average per plant (£k)	52	1,710	899
Number of plants charged time cost	0	6	6
Increase in total charge			
Absolute (£k)	41	5,447	5,488
Relative (%)	3.5%	15.3%	14.9%

Impact on individual businesses

20. The impact of implementing the OFFC minimum standard charge rates will vary between businesses depending on the type and numbers of the animals that they process. The following table gives examples of how the throughput rates will change and is provided to help FBOs assess the impact of the proposals on their business.

Table 3: examples current and proposed charges per 100 animals¹⁰

	2007 charge £ per 100 animals	Proposed charge £ per 100 animals	Increase	
			£	%
Bovine - adult	318.06	337.88	19.82	+6.2
Bovine - young	176.70	176.70	None	Nil
Sheep less than 12kg	12.37	12.37	None	Nil
Sheep 12 –18kg	24.74	24.74	None	Nil
Sheep over 18kg	35.34	35.34	None	Nil
Pigs less than 25kg	35.34	35.34	None	Nil
Pigs 25kg or more	91.89	91.89	None	Nil
Boar less than 25kg	35.34	101.36	66.02	+186.8
Boar 25kg or more	91.89	101.36	9.47	+10
Other ruminants less than 12kg	12.37	33.79	21.42	+173.2
Other ruminants 12 – 18kg	24.74	33.79	9.05	+36.6
Other ruminants 18kg or more	35.34	35.34	None	Nil
All broilers	0.71	0.71	None	Nil
Turkey less than 2kg	0.71	1.69	0.98	+138
Turkey over 2kg, except as below	1.42	1.69	0.27	+19
Turkey – adult 5kg or more	2.82	2.82	None	Nil

Risk, uncertainty and unintended consequences

21. Minimal risks are likely to arise from implementing the minimum throughput rates for meat hygiene official controls stipulated in the EC OFFC Regulation as these will apply throughout the UK and in all other Member States. Implementing will be done using current systems and the risk of unintended consequences is considered to be low.

⁸ Due to roundings, the numbers do not necessarily calculate to the figures shown.

⁹ The lower half of all plants is equivalent to those with a throughput that is less than the median of 75.9 Livestock Units; the rest of the plants represent the upper half of all plants. We only consider two size categories here (as opposed to quartiles) due to the small number of plants.

¹⁰ Due to roundings, the numbers do not necessarily calculate to the figures shown.

Implementation

22. The MHS will implement the proposal in GB (DARD in NI) in accordance with their usual procedures. This includes ensuring the FBOs are alerted to the increased throughput charges that may affect them.

Monitoring

23. The MHS will monitor the delivery of the proposal in GB (DARD in NI) in accordance with their usual procedures. The policy will be reviewed in June 2008 to establish its actual costs and benefits and the achievement of its desired objectives.

Enforcement

24. The proposal would implement the minimum throughput rates for meat hygiene official controls stipulated in the EC OFFC Regulation in accordance with Hampton Review principles. This applies, in particular, to the way that the regulations have been drafted, the information requirements that will be made of FBOs, the sanctions that may be applied and the easy availability of free advice about charges.

Sanctions

25. No changes are being proposed to those contained in the current regulations, which are considered to be proportionate and the minimum needed to enable the policy to be implemented effectively.

Compensatory simplification

26. The opportunity is being taken to clarify the regulations by specifying throughput rates in Sterling rather than in Euros as has been done hitherto.

Carbon Impact Assessment

27. The proposal is unlikely to have any impact on emissions of greenhouse gases.

Competition Assessment

28. The proposals are unlikely to significantly affect competition as the impact of the increased throughput fees will be small. Similar proposals have been made in Wales, Scotland and Northern Ireland. All operators would continue to pay the lesser of time costs or throughput charges.

Annual cost per organisation by size

29. See Table 1 and 2 for the estimated annual cost per red meat slaughterhouse and game handling establishment. Insufficient turkey data is available to estimate the effect per poultry slaughterhouse by size.

Admin burdens and Impact Assessment

30. No changes to administrative burdens are proposed.

Specific Impact tests

Small Firms Impact Test

31. Operators of low throughput approved meat establishments are generally charged on the basis of their throughput and would be affected by the proposed increase in charges. We do not consider that the impact on small businesses in general will be significant.

Table 4: examples of the effect of the proposed increase in charges per week for businesses with relatively low levels of throughput.¹¹

	No of animals		Current charge £		Proposed charge £		Increase £		Increase %	
	Micro	Small	Micro	Small	Micro	Small	Micro	Small	Micro	Small
Slaughterhouse (mixed species)										
Bovine adult	2	11	6.36	34.99	6.76	37.17	0.40	2.18	6%	6%
Sheep less than 12kg	2	11	0.25	1.36	0.25	1.36	Nil	Nil	0%	0%
Sheep 12 - 18kg	2	11	0.49	2.72	0.49	2.72	Nil	Nil	0%	0%
Sheep over 18kg	7	55	2.47	19.44	2.47	19.44	Nil	Nil	0%	0%
Pigs less than 25kg	7	55	2.47	19.44	2.47	19.44	Nil	Nil	0%	0%
Pigs 25kg or more	15	110	13.78	101.08	13.78	101.08	Nil	Nil	0%	0%
Boars less than 25kg	2	11	0.71	3.89	2.03	11.15	1.32	7.26	187%	187%
Boars 25kg or more	2	11	1.84	10.11	2.03	11.15	0.19	1.04	10%	10%
Deer less than 12kg	2	11	0.25	1.36	0.68	3.72	0.43	2.36	173%	173%
Deer 12 - 18kg	2	11	0.49	2.72	0.68	3.72	0.19	1.00	37%	37%
Deer 18kg or more	3	22	1.06	7.77	1.06	7.77	Nil	Nil	0%	0%
Total charge			30.17	204.88	32.70	218.72	2.53	13.84	8%	7%
Poultry slaughterhouse										
Broilers	750	8,500	5.33	60.35	5.33	60.35	Nil	Nil	0%	0%
Turkeys, less than 2kg	50	550	0.35	3.91	0.84	9.30	0.49	5.39	138%	138%
Turkey, 2kg or more ¹²	500	5,500	7.10	78.10	8.45	92.95	1.35	14.85	19%	19%
Turkey, adult 5kg or more	50	550	1.41	15.51	1.41	15.51	Nil	Nil	0%	0%
Total charge			14.19	157.87	16.03	178.11	1.84	20.24	13%	13%
Game-handling establishment										
Small game birds, less than 2kg	5	170	0.04	1.21	0.04	1.21	Nil	Nil	0%	0%
Small ground game, 2kg or more ¹³	1	35	0.01	0.50	0.01	0.50	Nil	Nil	0%	0%
Boars less than 25kg	1	2	0.35	0.71	1.01	2.03	0.66	1.32	187%	187%
Boars 25kg or more	1	2	0.92	1.84	1.01	2.03	0.09	0.19	10%	10%
Deer less than 12kg	1	20	0.12	2.47	0.34	6.76	0.22	4.29	173%	173%
Deer 12 - 18kg	1	20	0.25	4.95	0.34	6.76	0.09	1.81	37%	37%
Deer 18kg or more	1	20	0.35	7.07	0.35	7.07	Nil	Nil	0%	0%
Total charge			2.04	18.75	3.10	26.36	1.06	7.61	52%	41%
Cutting plant										
	Tonnes									
All Meat	2	6	4.24	12.72	4.24	12.72	Nil	Nil	0%	0%

Sustainable development/environmental/health

32. The proposal would have little if any impact on the delivery of the Government's five principles of sustainable development, on the environment or in relation to public health.

Race/disability/gender equality

33. We do not envisage an impact.

Human rights

34. We do not envisage an impact.

Rural proofing

35. Slaughterhouses and game handling establishments are integral to the rural economy on which the proposal would have little if any impact.

¹¹ Due to roundings, the numbers do not necessarily calculate to the figures shown.

¹³ Except those which are adult and weight 5kg or more.

¹³ Except those which are adult and weight 5kg or more.

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	<i>Results in Evidence Base?</i>	<i>Results annexed?</i>
Competition Assessment	Yes	No
Small Firms Impact Test	Yes	No
Legal Aid	No	No
Sustainable Development	Yes	No
Carbon Assessment	No	No
Other Environment	No	No
Health Impact Assessment	No	No
Race Equality	Yes	No
Disability Equality	Yes	No
Gender Equality	Yes	No
Human Rights	Yes	No
Rural Proofing	Yes	No

Annexes

Annex A - Changes to Throughput Charge Rates from 31 December 2007

Slaughterhouses and game-handling establishments					
Directive 85/73 categories	Current	OFFC categories	EC min	Proposed UK categories	Proposed
Type of animal	Rate £	Type of animal	Rate £	Type of animal	Rate £
Bovine animals		Bovine animals		Bovine animals	
- aged less than 6 weeks at slaughter	1.7670	- young bovine animals:	1.3482	- aged less than 8 months at slaughter	1.7670
- aged 6 weeks or more at slaughter	3.1806	- adult bovine animals:	3.3788	- aged 8 months or more at slaughter	3.3788
Wild boar of a carcase weight		- boar	1.0136	- boars	1.0136
- less than 25kg	0.3534				
- greater than or equal to 25 kg	0.9189				
Ruminants of a carcase weight		- ruminants	0.3379	- ruminants of a carcase weight	
- less than 12 kg	0.1237			- less than or equal to 18kg	0.3379
- between 12 and 18 kg inclusive	0.2474				
- greater than 18 kg	0.3534			- greater than 18 kg	0.3534
Turkeys		Turkeys	0.0169	- Turkeys	
- weighing less than 2 kg	0.0071			- any weight (except those which are adult and weight at least 5 kg)	0.0169
- weighing at least 2 kg (except those which are adult and weigh at least 5 kg)	0.0142				
- all being adult and weighing at least 5 kg	0.0282			- adult and weighing at least 5 kg	0.0282

Note:

The EC minimum rates and the 31 December 2007 rates that are being increased to comply with the EC minima are in bold type. They were converted from Euros to Sterling at the €£ exchange rate published in the Official Journal of the European Union on 4 September 2007 (0.67575).

Annex B

CONSULTATION ON MEASURES TO IMPLEMENT MINIMUM MEAT HYGIENE OFFICIAL CONTROL FEES IN APPROVED MEAT ESTABLISHMENTS THE MEAT (OFFICIAL CONTROLS CHARGES) (ENGLAND) (NO.2) REGULATIONS 2007

Summaries of consultation responses from stakeholders by issue

1. Consultation took place from 25 July 2007 until close of business on 24 October 2007 (extended by one week because of postal disruption). The consultation package was sent to around 100 stakeholders. In addition, around 750 operators of approved slaughterhouses, game handling establishments and meat cutting businesses were sent a letter alerting them to the consultation and giving them the opportunity to respond to it either directly or via a representative organisation. One substantive response was received in England, one in Wales and one in Scotland (separate consultations on equivalent proposals were undertaken in Scotland, Wales and Northern Ireland).
2. We are grateful for the comments received and have considered them in finalising the national legislation. The full consultation package is available on the FSA website at:
<http://www.food.gov.uk/consultations/consulteng/2007/meatcharges2007/england>
3. The key proposals on which the consultation sought views were:
 - i. to implement the throughput categories required by Regulation (EC) 882/2004 on Official Feed and Food Controls (the OFFC Regulation). Most national throughput categories are already compliant with the OFFC Regulation's provisions, but the categories for cattle need to change by 1 January 2008 from bovine animals of more or less than 6 weeks of age at slaughter to young and adult bovine animals (adult being aged 8 months or more at slaughter);
 - ii. to increase certain throughput charge rates applicable to meat hygiene and animal welfare official controls in approved meat establishments by the minimum amounts necessary to achieve compliance with the OFFC Regulation. The throughput charge rates applicable to adult bovines, boars, low/middle weight ruminants (other than cattle, sheep and goats) and low/middle weight turkeys, need to be increased to the required EC minimum level of charge by 1 January 2008; and
 - iii. to state all throughput charge rates in £ Sterling, instead of in Euros.
4. The table below summarises the responses to the consultation in terms of the specific questions posed. The Food Standards Agency's considered responses to stakeholders' comments are given in the last column of the table.
5. A list of stakeholders who responded can be found on page 20.

Note - This table provides a summary of the consultation responses only. Copies of the individual responses have been filed with the Agency's Library and Information Service.

ISSUE – request for information on the number of cattle that are slaughtered between 6 weeks and 8 months of age that would be charged at the rate that currently applies to cattle aged less than 6 weeks at slaughter.

Respondent	Method of Response	Comment	FSA Response
Farmers' Union of Wales	Letter	<p>Agrees that the changes in the bovine throughput categories will see reduced charges for producers of bovine animals aged 6 weeks to 8 months,</p> <p>but</p> <p>producers of bovine animals over 8 months will see an increase in charges which cancels out the benefits that the changes produce.</p>	<p>Noted.</p> <p>The increase in charges for bovine animals over 8 months of age is required under relevant EC law to comply with the minimum charge rates for these animals.</p> <p>We agree that there will be a compensatory effect between this increase and the reduction in charges for bovine animals aged 6 weeks to 8 months.</p>

ISSUE - request for information on the impact of the proposed throughput charge rate increases for boars and ruminants (other than cattle, sheep and goats, i.e. mainly deer) on those slaughter houses that process these animals.

Respondent	Method of Response	Comment	Response
Farmers' Union of Wales	Letter	Feels the changes in the throughput rate categories will make the system simpler especially in terms of ruminants, turkeys and wild boar, but the reduction in categories means producers of lighter animals (i.e. light lambs) have an increased burden in terms of the charges.	Agreed. The reduction in categories does not apply to sheep, which will continue to be subdivided into three weight categories: less than 12kg, between 12 and 18kg and greater than 18kg. No increase in the throughput charge rates for any of these categories has been proposed from 31 December 2007.

ISSUE - request for views on whether to make the minimum changes to the charging structure for ruminants (other than cattle, sheep and goats), as was proposed, or whether to charge a single rate. We asked this because applying the minimum OFFC throughput fee for these ruminants requires a charge of £0.3371 for each animal with a carcass weight of no more than 18kg (i.e. to amalgamate the current "less than 12kg" and "12 - 18kg categories"). This leaves the current rate for animals over 18kg (£0.3534) only a little higher than the fee for the smaller animals.

Respondent	Method of Response	Comment	Response
None			

ISSUE – request for information on the impact of the proposed throughput charge rate increase for turkeys for which we have insufficient data to carry out a detailed analysis.

Respondent	Method of Response	Comment	Response
British Poultry Council	Face to face meeting and letter.	<p>Believes that 90% of turkeys in the UK are slaughtered in species specific slaughterhouses, which should enable the total number of turkeys subject to official controls to be broken down by weight categories for a detailed analysis of the effect of the increase in charge rates.</p> <p>Considers that the lack of an impact assessment in relation to turkeys is an unacceptable basis from which to make changes to the charging system for turkeys.</p>	<p>A detailed analysis of the charge increase by weight category cannot currently be carried out across the poultry sector. This is because businesses, may be approved to slaughter several species of birds.</p> <p>As the current throughput charge rates are the same for all bird species, the total throughput of all species by the three different weight categories is recorded. This is to minimise the administrative burden on multi-species operators and on running the charging system.</p> <p>The analysis in the Impact Assessment is based on the estimated total number of turkey slaughterings (drawn from Defra slaughter statistics for 2006). It is likely to slightly overestimate the total cost to the turkey sector as it was not possible to take account of the number of adult turkeys weighing at least 5kg that are slaughtered and for which no increase in the throughput charge rate was proposed.</p>

ISSUE - request for information on the impact of the proposed throughput charge rate increases for boars and ruminants (other than cattle, sheep and goats, i.e. mainly deer) processed by game-handling establishments for which we have insufficient data to carry out a detailed analysis.

Respondent	Method of Response	Comment	Response
None			

.1.1

ISSUE - request for information on typical numbers of animals processed by low throughput slaughterhouses and game handling establishments.

Respondent	Method of Response	Comment	Response
None			Examples of the effect of the proposed increase in charges per week for micro and small businesses have been added to the final Impact Assessment using throughput numbers derived from Meat Hygiene Service' data.

.1.2 OTHER COMMENTS:

Respondent	Method of Response	Comment	Response
British Poultry Council	Face to face meeting and letter.	<p>Acknowledged the legal necessity to implement the requirements of the OFFC Regulations.</p> <p>Considers that the proposed increase of 19% in Sterling (25% in Euros) in the minimum rate for turkeys of any weight (except those that are adult and weigh at least 5kg) is untenable at this time.</p>	<p>Noted.</p> <p>The proposed increase in both £ Sterling (from £0.0142 to £0.0169) and in Euros (from €0.0210 to €0.0250) is 19%.</p> <p>The increase is being implemented as close as possible to the 1 January 2008 deadline required by EC law (one day early to coincide with the start of the Meat Hygiene Services January charging period).</p> <p>In response to a point made in discussion with the BPC we have reviewed the increased cost of these proposals to the turkey sector and confirm the figure of £46,000 per annum or 1.5% of the current charge, as stated in the consultation Impact Assessment.</p>

		<p>Feels that the minimum rate stipulated in the OFFC Regulations is already being met by the UK Government. Requests consideration be given to:</p> <ul style="list-style-type: none"> i. charging a single rate for turkeys rather than a higher rate for an estimated 250,000 adult turkeys weighing at least 5kg; 	<p>Assuming that all turkeys would be processed at plants that pay throughput charge rates (i.e. not time costs), this would reduce the total charge from around £290k to £287k, a reduction of less than £3k to the GB turkey sector. Also, charging a single rate would be contrary to the FSA policy of making the minimum changes to throughput categories at this time given the intention to introduce a new system of charging from April 2009. We are not persuaded that the reduction in total turkey charges is sufficient to justify this, particularly as to do so would be counter to the need for industry to pay an increasing proportion of official control costs.</p>
		<ul style="list-style-type: none"> ii. comply with the OFFC minima for turkey slaughtering and cutting by introducing a single throughput charge rate for those activities when they are carried out at a single establishment. <p>Believes that item ii would comply with the stipulation in the OFFC Regulations that, when several official controls are carried out at the same time in a single establishment, those controls shall be considered a single activity and that a single fee should be charged.</p>	<p>Disagree,</p> <ol style="list-style-type: none"> 1. The OFFC regulation stipulates different throughput charge categories and rates for slaughtering and cutting with the clear implication that the charge for each must be calculated separately. 2. Introducing the suggested system for co-located slaughtering and cutting plants would be inconsistent and unfair (and thus not sound legally) in respect of stand-alone cutting plants that process turkey meat and of turkey slaughterers that do not cut turkey meat. 3. Introducing the suggested system would be contrary to the FSA policy of making the minimum changes to throughput categories at this time given the Agency's intention to introduce a new system of charging from April 2009 and would be complex to implement.

Scottish Association of Meat Wholesalers	Letter	Supports the proposals.	Noted.
Farmers' Union of Wales	Letter	<p>Feels that the changes in throughput charge rates will put increased pressure on the abattoirs, especially the small abattoirs upon which the majority of the Welsh agricultural industry relies. As the small abattoirs cannot absorb the cost, this will be passed on to the producers.</p> <p>FUW agrees that the proposal to state throughput rates in £ sterling would make trading easier and more transparent in the UK, but can make comparing rates with other European member states difficult.</p>	<p>Noted, but only those charges that are below the minima required by EC law will be increased and they will be increased by the smallest possible amount.</p> <p>We estimate, on advice from Defra, that two-thirds of the additional costs may generally be passed by slaughterhouse operators to producers. We acknowledge that this will vary in individual circumstances.</p> <p>Noted.</p> <p>Noted. However, the EU regularly publishes Euro exchange rates that are available free on its Europa website at: http://eur-lex.europa.eu/JOIndex.do?ihmlang=en</p>

SUMMARY OF CHANGES MADE: None.

ACTIONS TO BE IMPLEMENTED:

The Meat Hygiene Service will configure the charging database to reflect, from 31 December 2007, the revised throughput categories and throughput charge rates.

to England consultation:

1. British Poultry Council
2. Meat Livestock Commission

No comments.

to Scotland consultation:

3. Deer Commission for Scotland
4. The Royal Environmental Health Institute of Scotland
5. Scottish Association of Meat Wholesalers

No comments.

No comments.

to Wales consultation:

6. Farmers' Union of Wales
7. Hybu Cig Cymru (Meat Promotion Wales)

No comments.