
STATUTORY INSTRUMENTS

2020 No. 1461

**The Veterinary Medicines and Residues
(Amendment) (EU Exit) Regulations 2020**

PART 5

Amendments to retained direct EU legislation

Commission Decision 2002/657/EC

6.—(1) Commission [Decision 2002/657/EC](#) implementing Council [Directive 96/23/EC](#) concerning the performance of analytical methods and the interpretation of results (notified under document number C(2002) 3044) is amended as follows.

(2) In Article 1—

- (a) in the first paragraph, for “Article 15(1), second sentence, of [Directive 96/23/EC](#)” substitute “relevant retained EU law”;
- (b) in the second paragraph, omit “Community”.

(3) In Article 2, at the end insert—

“In this Decision—

“appropriate authority” means—

- (a) as regards England, the Secretary of State;
- (b) as regards Scotland, the Scottish Ministers;
- (c) as regards Wales, the Welsh Ministers;

“relevant retained EU law” means—

- (a) as regards England and Scotland, the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (England and Scotland) Regulations 2015;
- (b) as regards Wales, the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Wales) Regulations 2019(1).”.

(4) In Article 3, in the words before point (a)—

- (a) for “Member States” substitute “appropriate authority”;
- (b) for “[Directive 96/23/EC](#)” substitute “relevant retained EU law”.

(5) In Article 4, in the words before point (a), for “Member States” substitute “The appropriate authority”.

(6) In Article 5—

- (a) for “Member States” substitute “appropriate authority”;
- (b) for “[Directive 96/23/EC](#)” substitute “relevant retained EU law”.

- (7) Omit Articles 7 and 10.

Commission Regulation (EU) 2019/1871

7.—(1) Commission Regulation (EU) 2019/1871 on reference points for action for non-allowed pharmacologically active substances present in food of animal origin is amended as follows.

- (2) Omit Article 1(c).
- (3) In Article 2, in the third paragraph—
- (a) for “Commission” substitute “Secretary of State”;
 - (b) omit the words from “European Reference” to “and”.
- (4) In Article 4—
- (a) in paragraph 1, for “EFSA” substitute “the Food Standards Agency”;
 - (b) in paragraph 2—
 - (i) for “Commission” substitute “Secretary of State”;
 - (ii) for “EFSA” substitute “the Food Standards Agency”;
 - (c) in paragraph 3 for “European and National Reference Laboratories” substitute “approved laboratories”;
 - (d) after paragraph 3 insert—
 - “4. In paragraph 3, “approved laboratory” has the meaning given in—
 - (a) as regards England and Scotland, regulation 2 of the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (England and Scotland) Regulations 2015;
 - (b) as regards Wales, regulation 2 of the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Wales) Regulations 2019.”.
- (5) In Article 5—
- (a) in the first paragraph, for “the Union” substitute “Great Britain”;
 - (b) in the second paragraph—
 - (i) for “Union legislation” substitute “relevant retained EU law”;
 - (ii) at the end insert “for reasons relating only to its non-compliance with the relevant provisions of relevant retained EU law”;
 - (c) after the second paragraph insert—
 - “In this Article, “relevant retained EU law” means—
 - (a) as regards England and Scotland, the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (England and Scotland) Regulations 2015;
 - (b) as regards Wales, the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Wales) Regulations 2019.”.
- (6) In Article 6—
- (a) in the first paragraph—
 - (i) for “competent authority” substitute “enforcement authority”;
 - (ii) after “2017/625 and” insert “the retained EU law which transposed”;
 - (b) in the second paragraph—

- (i) for “competent authority” substitute “enforcement authority”;
 - (ii) after “2017/625 and” insert “the retained EU law which transposed”;
 - (c) in the third paragraph—
 - (i) for “competent authority”, in both places it occurs, substitute “enforcement authority”;
 - (ii) for the words from “shall inform” to the end substitute “must (in a case where the enforcement authority is not also the appropriate authority) immediately inform the appropriate authority and the enforcement authorities of the other constituent nations of Great Britain and the equivalent authority in Northern Ireland”;
 - (d) in the fourth paragraph, for “Commission” substitute “Secretary of State”;
 - (e) omit the fifth paragraph;
 - (f) after the fifth paragraph insert—
 - “In this Article—
 - “appropriate authority” means—
 - (a) as regards England, the Secretary of State;
 - (b) as regards Scotland, the Scottish Ministers;
 - (c) as regards Wales, the Welsh Ministers;
 - “enforcement authority” has the meaning given in—
 - (a) as regards England and Scotland, regulation 2 of the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (England and Scotland) Regulations 2015;
 - (b) as regards Wales, regulation 2 of the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Wales) Regulations 2019.”.
- (7) Omit Article 7.
- (8) In Article 8—
 - (a) omit the first paragraph;
 - (b) in the second paragraph—
 - (i) omit the words from the beginning to “paragraph”;
 - (ii) for “Union” substitute “United Kingdom”.
- (9) After Article 9 omit the words from “This Regulation” to “States.”.

Commission Delegated Regulation (EU) 2019/2090

8.—(1) Commission Delegated Regulation (EU) 2019/2090 supplementing Regulation (EU) 2017/625 of the European Parliament and Council regarding cases of suspected or established non-compliance with Union rules applicable to the use or residues of pharmacologically active substances authorised in veterinary medicinal products or as feed additives or with Union rules applicable to the use or residues of prohibited or unauthorised pharmacologically active substances is amended as follows.

- (2) In Article 1 omit “Union”.
- (3) In Article 2—

- (a) in point (b), for the words from “which are” to “Regulation (EU) No 37/2010” substitute “the administration of which have been prohibited under Article 14(2)(d) of Regulation (EC) No 470/2009”;
 - (b) in point (c)—
 - (i) in the second indent—
 - (aa) omit “Union”;
 - (bb) omit “or, where appropriate, in national legislation”;
 - (ii) in the second subparagraph—
 - (aa) in the first place it occurs, omit “Union”;
 - (bb) omit “Union or national”;
 - (c) in point (d) omit “Union”;
 - (d) in point (e) omit “Union”.
- (4) In Article 3—
- (a) in paragraph 3—
 - (i) in the first subparagraph, for “Directive 2001/82/EC” substitute “the Veterinary Medicines Regulations 2013”;
 - (ii) in the second subparagraph omit “Union”;
 - (b) in paragraph 4, in the third indent—
 - (i) for “Article 11 of Directive 2001/82/EC”, in the first place it occurs, substitute “with paragraph 2 of Schedule 4 to the Veterinary Medicines Regulations 2013”;
 - (ii) for “Article 11 of Directive 2001/82/EC”, in the second place it occurs, substitute “that paragraph”;
 - (c) in paragraph 5, for “Directive 2001/82/EC” substitute “the Veterinary Medicines Regulations 2013”.
- (5) In Article 4(3) omit “Union”.
- (6) In Article 6(3), in the second indent omit “Union”.
- (7) In Article 9—
- (a) for “Member State”, in each place it occurs, substitute “country”;
 - (b) omit the last sentence.
- (8) After Article 11 omit the words from “This Regulation” to “Member States”.