

**2020 No. 1631**

**EXITING THE EUROPEAN UNION**

**AGRICULTURE**

**ANIMALS**

**FOOD**

**PLANT HEALTH**

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

*Approved by both Houses of Parliament*

*Made - - - - 21st December 2020*

*Laid before Parliament 22nd December 2020*

*Coming into force in accordance with regulation 1(2)*





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The Secretary of State, in exercise of the powers conferred by section 8(1), (2)(f) and (6) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018<sup>(a)</sup>, makes the following Regulations.

The Secretary of State is of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft of the instrument being laid before, and approved by a resolution of, each House of Parliament.

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(a) 2018 c. 16. Section 8 was amended by section 27 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) and paragraph 21 of Schedule 7 was amended by section 41(4) of, and paragraph 53(2) of Schedule 5 to, that Act.

# PART 1

## Introductory

### Citation, commencement, application and extent

1.—(1) These Regulations may be cited as the Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020.

(2) They come into force on IP completion day, except this regulation and regulations 4, 7, 8, 9, 10 and 11, which come into force immediately before IP completion day.

(3) Regulations 2 and 9(2) and (3) apply in relation to England only.

(4) Regulation 3 does not extend to England and Wales.

# PART 2

## Amendment of subordinate legislation

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

2.—(1) The Trade in Animals and Related Products Regulations 2011(a) are amended as follows.

(2) In Schedule 2, after paragraph 11 insert—

#### “Special import conditions

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

(2) Regulations made under this paragraph are to be made by statutory instrument.

(3) A statutory instrument containing regulations under this paragraph is subject to annulment in pursuance of a resolution of either House of Parliament.

(4) Regulations made under this paragraph may—

(a) contain consequential, incidental, supplementary, transitional, transitory or saving provision;

(b) make different provision for different purposes.”.

### The Veterinary Medicines Regulations 2013

3.—(1) The Veterinary Medicines Regulations 2013(c) are amended as follows.

(2) In regulation 2(2)—

(a) omit the definition of “Regulation (EC) No 882/2004”;

(b) in the appropriate place insert—

““Regulation 2017/625” means Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls performed to ensure the application of food and

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(a) S.I. 2011/1197, as amended by S.I. 2012/2897, 2013/2996, 2014/3158, 2018/575 and 1037, 2019/526 and 782, 2020/109.

(b) OJ No L 18, 23.1.2003, p. 11 as last amended by Council Directive 2013/20/EU (OJ No L 158, 10.6.2013, p. 234).

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

feed law, rules on animal health and welfare, plant health and plant protection products(a);”.

(3) In regulation 45(3), for paragraph (c) substitute—

“(c) Regulation (EU) 2017/625;”.

(4) In Schedule 5—

(a) in the Contents, in item 4, for “Regulation (EC) No 882/2004” substitute “Regulation (EU) 2017/625”;

(b) in paragraph 4, and the heading to that paragraph, for “Regulation (EC) No 882/2004” substitute “Regulation (EU) 2017/625”.

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

4.—(1) The Animal Feed (Amendment) (EU Exit) Regulations 2019(b) are amended as follows.

(2) Omit regulation 90.

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

5.—(1) The Official Controls (Animals, Feed and Food, Plant Health Fees etc.) Regulations 2019(c) are amended as follows.

(2) In regulation 1(3)(a)—

(a) for “Parts 2 to 4” substitute “Part 2, regulations 8, 9 and 10, Part 4”;

(b) after “United Kingdom,” insert “and regulation 9A, in relation to England and Wales and Scotland.”.

(3) In regulation 2(1)—

(a) in the definition of “the EU Official Controls Regulations”, for “and Delegated Regulations” substitute “, Delegated Regulations and statutory instruments made under it”;

(b) in the definition of “relevant legislation”, for “European and domestic” substitute “, in Northern Ireland, European and domestic legislation, and in Great Britain, retained direct EU legislation and domestic legislation”.

(4) In regulation 4, omit “in the United Kingdom and other member States”.

(5) After regulation 9, insert—

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

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

(a) in paragraph (1)—

(i) in the opening words, as if “another member State” were omitted;

(ii) in sub-paragraph (a), for “a competent authority of another country” there were substituted “another competent authority”;

(b) as if paragraph (2) were omitted.”.

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(a) EUR 2017/625.

(b) S.I. 2019/654, as amended by S.I. 2020/1504.

(c) S.I. 2019/1488.

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

6.—(1) The Aquatic Animal Health and Plant Health (Legislative Functions) (EU Exit) Regulations 2019(a) are amended as follows.

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

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

7.—(1) The Food and Feed Hygiene and Safety (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020(b) are amended as follows.

(2) In regulation 9(14), in the inserted text—

(a) omit regulation 51C;

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

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

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

8.—(1) The Plant Health (Amendment etc.) (EU Exit) Regulations 2020(c) are amended as follows.

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

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

(i) regulations 14(2)(b), 15, 23(3)(b)(x), (xvii), and (xxii);

(ii) paragraph 40 of Schedule 3.”.

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

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

9.—(1) The Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020(d) are amended as follows.

(2) In regulation 1—

(a) for paragraph (2) substitute—

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

(b) after paragraph (2), insert—

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

(4) In these Regulations, “Commission Implementing Regulation (EU) 2019/2072” means Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protection measures against pests of plants.”.

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(a) S.I. 2019/817, amended by S.I. 2020/1463.

(b) S.I. 2020/1504.

(c) S.I. 2020/1482.

(d) S.I. 2020/1527.

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

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

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

- (2) In regulation 1, at the end insert “, except Part 5 which comes into force immediately before IP completion day”.
- (3) Omit regulation 43.

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

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

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

## PART 3

### Amendment of retained direct EU legislation

**Commission Implementing Regulation (EU) 2019/66 on rules on uniform practical arrangements for the performance of official controls on plants, plant products and other objects in order to verify compliance with Union rules on protective measures against pests of plants applicable to those goods**

**12.**—(1) Commission Implementing Regulation (EU) 2019/66 on rules on uniform practical arrangements for the performance of official controls on plants, plant products and other objects in order to verify compliance with Union rules on protective measures against pests of plants applicable to those goods(c) is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1, after “issue” insert “UK”;
  - (b) in paragraph 4—
    - (i) for “the Union” substitute “Great Britain”;
    - (ii) omit “on certain of those plants identified”;
  - (c) in paragraph 5—
    - (i) in point (a)—
      - (aa) for “Union” substitute “GB”;
      - (bb) omit the words from “notified” to “2016/2031,”;
    - (ii) in point (c)—

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(a) S.I. 2020/1481.  
 (b) S.I. 2020/1462.  
 (c) EUR 2019/66.

- (aa) for “Information Management System for Official Controls (IMSOC)” substitute “appropriate computerised information management system”;
- (bb) at the end insert “or documentation”;
- (iii) in point (d), for the words from “quarantine” to the end substitute “GB quarantine pest or a provisional GB quarantine pest”;
- (d) in paragraph 6—
  - (i) for the words from “quarantine pest” to “2016/2031” substitute “GB quarantine pest or a provisional GB quarantine pest”;
  - (ii) for “IMSOC” substitute “the appropriate computerised information management system”.
- (3) In Article 2—
  - (a) in the heading, after “issue” insert “UK”;
  - (b) in point (b), for “the Union” substitute “Great Britain”.
- (4) In Article 3, in the heading, after “issue” insert “UK”;
- (5) In Article 4—
  - (a) in the heading, for “the Union” substitute “Great Britain”;
  - (b) in paragraph 1, after “issue” insert “UK”;
  - (c) in paragraph 2, in point (b), for “the Union” substitute “Great Britain”.
- (6) In Article 5, for “the Union” substitute “Great Britain from a third country”.
- (7) In Article 7, in point (a), for “the Union territory” substitute “Great Britain”.
- (8) In Article 8, omit the third paragraph.

**Commission Delegated Regulation (EU) 2019/624 concerning specific rules for the performance of official controls on the production of meat and for production and relaying areas of live bivalve molluscs in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council**

**13.**—(1) Commission Delegated Regulation (EU) 2019/624 concerning specific rules for the performance of official controls on the production of meat and for production and relaying areas of live bivalve molluscs in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council<sup>(a)</sup> is amended as follows.

- (2) In Article 2, after point (27) insert—
  - “(28) “appropriate authority” means—
    - (a) in relation to England, the Secretary of State;
    - (b) in relation to Wales, the Welsh Ministers;
    - (c) in relation to Scotland, the Scottish Ministers.”.
- (3) After Article 2 insert—

*“Article 2A*

**References to Directive 64/432/EEC**

For the purpose of Articles 3(3)(e) and 8(e) of this Regulation, references to Article 2 and Article 2(2)(p) of Directive 64/432/EEC are to be read as if, in Article 2(2)(p) of that Directive—

- (a) for “Member State’s territory” there were substituted “constituent territory of Great Britain”;

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(a) EUR 2019/624.



- (b) in the table, in the row for United Kingdom, for “, Wales and Northern Ireland” there were substituted “and Wales”.”.
- (4) In Article 3(3)(e), for “Union legislation” substitute “legislation in force in the relevant constituent territory of Great Britain”.
- (5) In Article 5(2)(c)(iii), for “Union legislation” substitute “legislation in force in the relevant constituent territory of Great Britain”.
- (6) In Article 6(5), for “Member States” substitute “competent authorities”.
- (7) In Article 7(1)(b)—
  - (a) for “a Member State” substitute “Great Britain”;
  - (b) omit the words from “in such case” to the end.
- (8) In Article 8(e), for “Union legislation” substitute “legislation in force in the relevant constituent territory of Great Britain”.
- (9) Omit Article 12.
- (10) In Article 13, in paragraph 1, for “Member States may lay down” substitute “the appropriate authority may make regulations prescribing”.
- (11) After Article 14 insert—

*“Article 14A*

**Procedure**

1. Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.
  2. For regulations made by the Scottish Ministers under this Regulation, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010(a).
  3. A statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.
  4. A statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of Senedd Cymru.
  5. Regulations made by the Scottish Ministers under these Regulations are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).
  6. Regulations made under this Regulation may—
    - (a) contain consequential, incidental, supplementary, transitional or saving provision;
    - (b) make different provision for different purposes.”.
- (12) After Article 15, omit the words from “This Regulation” to “Member States.”.
- (13) Omit Annex 1.
- (14) In Annex 2—
- (a) in Chapter 1—
    - (i) in the opening words of paragraph 3, omit the words from “in accordance with” to “of the Council”;
    - (ii) in paragraph 3(a), for “national and Union” substitute “relevant”;
    - (iii) omit paragraph 7;

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(a) 2010 asp 10.

- (b) in Chapter 2, omit paragraph 10;
- (c) in Chapter 3, omit paragraph 9.

**Commission Delegated Regulation (EU) 2019/625 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption**

**14.**—(1) Commission Delegated Regulation (EU) 2019/625 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption **(a)** is amended as follows.

(2) In Article 1—

- (a) in paragraph 1, for “in the Union” substitute “into Great Britain”;
- (b) each place where it occurs, for “into the Union” substitute “into Great Britain”;
- (c) in paragraph 2(a)(ii) and (c), omit “and (iii)”;
- (d) in paragraph 3(b), for “the Union” substitute “Great Britain”.

(3) In Article 2, after point (27) insert—

“(28) “appropriate authority” means—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers;
- (c) in relation to Scotland, the Scottish Ministers.”.

(4) After Article 2 insert—

*“Article 2A*

**References to CN codes and HS codes**

For the purpose of this Regulation, any reference to CN codes, HS codes, or a heading or chapter in respect of those Codes, shall be read as a reference to the relevant corresponding provisions in the customs tariff, as established under section 8(1) of the Taxation (Cross-border Trade) Act 2018 **(b)**.”.

(5) In Article 3, for “the Union” substitute “Great Britain”.

(6) In Article 4—

- (a) in the heading, for “the Union” substitute “Great Britain”;
- (b) in the opening words—
  - (i) in both places where it occurs, for “Commission” substitute “appropriate authority”;
  - (ii) for “the Union” substitute “the relevant constituent territory of Great Britain”;
- (c) in point (b), for “the Union” substitute “Great Britain”;
- (d) in point (c), for “in the Union” substitute “into Great Britain”;
- (e) in point (d)—
  - (i) in the first place where it occurs, for “the Commission” substitute “experts appointed by the appropriate authority”;
  - (ii) in the second place where it occurs, for “the Commission” substitute “the appropriate authority”;
- (f) in point (e), for “Commission” substitute “appropriate authority”;

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(a) EUR 2019/625.  
(b) 2018 c. 22.

- (g) in point (f)—
  - (i) for “Commission” substitute “appropriate authority”;
  - (ii) omit “, in accordance with Directive 96/23/EC”.
- (7) In Article 5—
  - (a) in the heading, for “the Union” substitute “Great Britain”;
  - (b) in paragraph 1, in the opening words—
    - (i) for “the Union” substitute “Great Britain”;
    - (ii) omit “and (iii)”;
  - (c) in paragraph 2(b), omit the words from “in accordance with” to the end;
  - (d) in paragraph 2(c)—
    - (i) for “the Union” substitute “Great Britain”;
    - (ii) for “Union requirements” substitute “legislation in force in the relevant constituent territory of Great Britain”;
  - (e) omit paragraph 3;
  - (f) in paragraph 4—
    - (i) for “Member States” substitute “Competent authorities”;
    - (ii) for “the Union” substitute “Great Britain”;
    - (iii) for “Union rules” substitute “legislation in force in the relevant constituent territory of Great Britain”;
    - (iv) for “Commission” substitute “appropriate authority”.
- (8) In Article 7, for “the Union” substitute “Great Britain”.
- (9) In Article 8—
  - (a) in paragraph 1—
    - (i) for “the Union” substitute “Great Britain”;
    - (ii) for “Commission” substitute “appropriate authority”;
  - (b) in paragraph 2, for “the Union” substitute “Great Britain”.
- (10) For Article 9—
  - (a) for paragraph 1 substitute—
 

“1. The appropriate authority shall, before the lists referred to in Article 8(1) are drawn up by the competent authorities of the third country, carry out an on-the-spot control visit to determine whether particular account is being taken of the guarantees that the competent authorities of the third country can give concerning compliance with the requirements of Article 52 of Implementing Regulation (EU) 2019/627 on the classification and control of production areas.”;
  - (b) in paragraph 2—
    - (i) omit “Commission”;
    - (ii) for “to be” substitute “be”.
- (11) In Article 10—
  - (a) for “the Union” substitute “Great Britain”;
  - (b) for “Commission” substitute “appropriate authority”.
- (12) In Article 11—
  - (a) in paragraph 1—
    - (i) in the opening words, for “Commission” substitute “appropriate authority”;
    - (ii) in subparagraphs (a) and (b), for “the Union” substitute “Great Britain”;

- (iii) in subparagraphs (c) and (d), for “Union requirements” substitute “legislation in force in the relevant constituent territory of Great Britain”;
  - (b) in paragraph 2—
    - (i) in the opening words, for “authorities of a Member State” substitute “authority in the relevant constituent territory of Great Britain”;
    - (ii) in subparagraph (a)—
      - (aa) for “the Union” substitute “Great Britain”;
      - (bb) for “that Member State” substitute “Great Britain”;
    - (iii) for subparagraph (b) substitute—
 

“(b) the competent authority in the relevant constituent territory of Great Britain has inspected the vessel and has declared that it complies with the applicable legislation in force in the relevant constituent territory of Great Britain.”;
    - (iv) for subparagraph (c) substitute—
 

“(c) the competent authority in the relevant constituent territory of Great Britain has declared that it will regularly inspect the vessel and has declared that it complies with the applicable legislation in force in the relevant constituent territory of Great Britain.”
  - (c) in paragraph 3, for “the Union” substitute “Great Britain”.
- (13) Omit Article 12.
- (14) In Article 13—
- (a) for “the Union”, in both places where it occurs, substitute “Great Britain”;
  - (b) in paragraph 3, for “other Union legislation” substitute “other legislation in force in the relevant constituent territory of Great Britain”.
- (15) After Article 13, insert—

*“Article 13a*

**Derogations and modifications: animals and goods entering Great Britain from a relevant third country**

1. Article 13 of this Regulation applies subject to the derogations and modifications specified in Annex 6 to Regulation (EU) 2017/625(a) during the transitional staging period, in relation to relevant goods entering Great Britain from a relevant third country.
  2. In this Article ‘the transitional staging period’, ‘relevant goods’, and ‘relevant third country’ have the meanings given in Annex 6 to that Regulation.”.
- (16) Omit Article 14.
- (17) In Article 15 omit the words from “However” to “Member States.”.

**Commission Implementing Regulation (EU) 2019/626 concerning lists of third countries or regions thereof authorised for the entry into the European Union of certain animals and goods intended for human consumption, amending Implementing Regulation (EU) 2016/759 as regards these lists**

**15.**—(1) Commission Implementing Regulation (EU) 2019/626 concerning lists of third countries or regions thereof authorised for the entry into the European Union of certain animals and goods intended for human consumption, amending Implementing Regulation (EU) 2016/759 as regards these lists(b) is amended as follows.

- (2) In the headings to Articles 3 to 21, for “the Union” substitute “Great Britain”.

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(a) EUR 2017/625, as amended prospectively from IP completion day by S.I. 2020/1481.  
 (b) EUR 2019/626.

(3) In Articles 1, 3 to 21 and 24, in each place where it occurs, for “the Union” substitute “Great Britain”.

(4) In Article 2, after point (25) insert—

“(26) “appropriate authority” means—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers;
- (c) in relation to Scotland, the Scottish Ministers.”.

(5) In Article 19, before “Switzerland” insert “EU member States, Iceland, Liechtenstein, Norway,”.

(6) In Article 24, for “Member States shall” substitute “the appropriate authority must”.

(7) In Article 25 omit the third paragraph.

(8) In Annex 1—

(a) in the heading—

- (i) for “THE UNION ARE PERMITTED” substitute “GREAT BRITAIN”;
- (ii) after “CONSUMPTION” insert “IS PERMITTED”;

(b) in the table—

- (i) in the row for Switzerland, omit the footnote to the entry in the second column;
- (ii) below the row for Chile insert—

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“—	EU member States, Iceland, Liechtenstein and Norway
FO	Faroe Islands”;

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- (iii) in the row for Morocco, in the third column, for the words from “accordance” to “(OJ L 338, 22.12.2005, p. 27)” substitute “the form published by the appropriate authority, as amended from time to time”.

(9) In Annex 2—

(a) in the heading—

- (i) for “THE UNION ARE PERMITTED” substitute “GREAT BRITAIN”;
- (ii) at the end insert “, IS PERMITTED”;

(b) in the table—

- (i) in the row for Switzerland, omit the footnote to the entry in the second column;
- (ii) below the row for Eritrea insert—

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“—	EU member States, Iceland, Liechtenstein and Norway”;
“FO	Faroe Islands”;

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- (iv) in the row for Guinea, in the third column, for “Commission Decision 94/360/EC (OJ L 158, 25.6.1994, p. 41)” substitute “Commission Implementing Regulation (EU) 2019/2129(a)”.

(10) In Annex 3—

(a) in the heading—

- (i) for “THE UNION ARE PERMITTED” substitute “GREAT BRITAIN”;
- (ii) at the end insert “IS PERMITTED”;

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(a) EUR 2019/2129.

- (b) in the table—
  - (i) in the row for Switzerland, omit the footnote in the second column;
  - (ii) below the row for Eritrea, insert—

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“— EU member States, Iceland, Liechtenstein and Norway”.

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- (11) In Annex 3a—
  - (a) in the heading, for “the Union” substitute “Great Britain”;
  - (b) in the table, below the row for Switzerland, insert—

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“— EU member States, Iceland, Liechtenstein and Norway”.

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**Commission Implementing Regulation (EU) 2019/627 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council and amending Commission Regulation (EC) No. 2074/2005 as regards official controls**

**16.**—(1) Commission Implementing Regulation (EU) 2019/627 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council and amending Commission Regulation (EC) No. 2074/2005 as regards official controls **(a)** is amended as follows.

- (2) In Article 1(c), omit “Union”.
- (3) In Article 2, after point (48) insert—
  - “(49) “food safety authority” means—
    - (i) as regards England and Wales, the Food Standards Agency;
    - (ii) as regards Scotland, Food Standards Scotland.
  - (50) “British fishing vessel” means a fishing vessel registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 **(b)** for which the entry in the register specifies a port in Great Britain as the port to which the vessel is to be treated as belonging;
  - (51) “the Residues Regulations” means—
    - (i) as regards England and Scotland, the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (England and Scotland) Regulations 2015 **(c)**;
    - (ii) as regards Wales, the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Wales) Regulations 2019 **(d)**.”
- (4) In Article 3(3)(b)—
  - (a) omit “Union”;
  - (b) for “Council Directive 96/23/EC” substitute “the Residues Regulations”;
  - (c) for “Council Directive 96/22/EC,” substitute “the Residues Regulations and”.
- (5) Omit Chapter 3 of Title 2 (Article 6).
- (6) Omit Article 9(3).
- (7) In Article 13(2)—

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**(a)** EUR 2019/627.  
**(b)** 1995 c. 21.  
**(c)** S.I. 2015/787.  
**(d)** S.I. 2019/569 (W. 125).

- (a) in the opening words, for “a Member State”, substitute “Great Britain”;
  - (b) omit the last unnumbered paragraph (which begins “In such case”).
- (8) In Article 14(1)(b)(ii)—
- (a) omit the words “as referred to in Directive 96/23/EC and Decision 97/747/EC”;
  - (b) for “Directive 96/22/EC” substitute “, the Residues Regulations”.
- (9) In Article 18—
- (a) in paragraph 1(b), for “Member State or region of a Member State”, substitute “constituent territory of Great Britain”;
  - (b) in paragraph 2(a), for “Member States” substitute “the competent authority”.
- (10) Omit Article 28(1).
- (11) In Article 30(1)(c), after “Directive 2003/99/EC” insert “or any other applicable legislation in force in the relevant constituent territory of Great Britain”.
- (12) In Article 32—
- (a) in paragraph (1)—
    - (i) for “a Member State” substitute “the British Islands”;
    - (ii) for “the Union” substitute “Great Britain”;
  - (b) in paragraph (2), for “a Member State or” substitute “the British Islands or a”.
- (13) In Article 35, omit paragraphs 1(c) and 3.
- (14) In Article 36, omit paragraph 3.
- (15) In Article 37(1)(c)—
- (a) omit “Union”;
  - (b) omit “and in Article 5 of Directive 96/23/EC”.
- (16) In Article 39—
- (a) in paragraph (3), after “is required under” insert “legislation which, immediately before IP completion day, implemented”;
  - (b) omit paragraph (6).
- (17) In Article 43(5)—
- (a) for “Union legislation”, substitute “legislation in force in the relevant constituent territory of Great Britain”;
  - (b) for “Articles 16 to 19 of Directive 96/23/EC” substitute “the Residues Regulations and Articles 105(1) and 138 of Regulation (EU) 2017/625”.
- (18) In Article 44(4), for “Union legislation”, substitute “legislation in force in the relevant constituent territory of Great Britain”.
- (19) In Article 45—
- (a) in point (e)—
    - (i) omit “Union”;
    - (ii) after “provided for in” insert “legislation which, immediately before IP completion day, implemented”;
  - (b) in point (i), for “Directive 96/22/EC” substitute “the Residues Regulations”;
  - (c) in point (j)—
    - (i) omit the words from “implementation” to “revealed”;
    - (ii) after “environment” insert “has been revealed”;
  - (d) in point (n), for “Union legislation or, in the absence of Union legislation, under national rules”, substitute “legislation in force in the relevant constituent territory of Great Britain”.

(20) In Article 49(2), for “Union provisions”, substitute “legislation in force in the relevant constituent territory of Great Britain”.

(21) In Article 60—

(a) in paragraph 2—

(i) after “In accordance with” insert “legislation which, immediately before IP completion day, implemented”;

(ii) after “as defined in” insert “legislation which, immediately before IP completion day, implemented”;

(b) in paragraph 3, after “In accordance with” insert “legislation which, immediately before IP completion day, implemented”.

(22) In Article 68—

(a) in paragraph 1—

(i) for “a Member State”, substitute “Great Britain”;

(ii) for “EU ports, irrespective of flag”, substitute “ports in Great Britain”;

(b) for paragraph 2, substitute—

“(2) Competent authorities in Great Britain may carry out official controls on British fishing vessels while the vessel is at sea or in a port in another constituent territory of the British Islands or a third country”.

(23) In Article 69—

(a) in paragraph 1—

(i) for “flying the flag of a Member State” substitute “which is a British fishing vessel”;

(ii) for “of the flag Member State” substitute “in Great Britain”;

(iii) for “Member State” substitute “constituent territory of the British Islands”;

(b) in paragraph 2—

(i) for “of the flag Member State” substitute “in Great Britain”;

(ii) in the second and third place where it occurs, for “Member State” substitute “constituent territory of the British Islands”;

(c) in paragraph 3—

(i) for “of a Member State” substitute “in Great Britain”;

(ii) for “Member State”, in the second place it occurs, substitute “constituent territory of the British Islands”;

(iii) for “of the flag Member State” substitute “in Great Britain”.

(24) In Article 71(b)—

(a) for “Directive 96/22/EC” substitute “the Residues Regulations”;

(b) omit “Union”.

(25) In Article 72—

(a) in the heading, for the words from “vessels” to “Union”, substitute “British fishing vessels entering Great Britain”;

(b) in paragraph 1—

(i) for “vessels flying the flag of a Member State”, substitute “British fishing vessels”;

(ii) for “the Union”, substitute “Great Britain”.

(26) After Article 75, omit the words from “This Regulation” to “Member States.”.

(27) In Annex 2—

(a) for paragraph 1 substitute—



“1. The health mark must be an oval mark at least 6.5 cm wide by 4.5 cm high bearing the following information in perfectly legible characters:

- (a) when applied in an establishment located in Great Britain, the abbreviation “UK” or “GB” or the words “UNITED KINGDOM”;
- (b) when applied in an establishment located in Northern Ireland, abbreviation “UK(NI)” or the words “UNITED KINGDOM (NORTHERN IRELAND)”;
- (c) when applied in an establishment located in a third country, the name of the country in which the establishment is located, which may be written out in full in capitals or shown as a two-letter code in accordance with the relevant ISO code;
- (d) the approval number of the slaughterhouse.

Products imported into Great Britain from establishments located outside the United Kingdom must not be marked in any way which indicates or suggests that they were produced in the United Kingdom.”;

- (b) in paragraph 3, for “Union rules”, substitute “the legislation in force in the relevant constituent territory of Great Britain”.

(28) In Annex 5—

- (a) in Chapter 3, Part A, for the third paragraph (which begins “Total toxicity equivalence”) substitute—

“Total toxicity equivalence shall be calculated by the food safety authority. TEFs identified by EU or international bodies may be used to support calculations.”;

- (b) in Chapter 4, omit “elaborated by the Member States”.

(29) In Annex 6—

- (a) in Chapter 1, Part D—

- (i) in the opening words, omit—

- (aa) “in accordance with Directive 96/23/EC and Decision 97/747/EC”;

- (bb) “EU”;

- (ii) in the second indent, for “Directive 96/22/EC” substitute “the Residues Regulations”;

- (b) in Chapter 2, Part A—

- (i) in paragraph 1(d)—

- (aa) for “Member States”, substitute “the appropriate authority”;

- (bb) for “Union” substitute “national”;

- (ii) in the text after paragraph 4 (which begins “Member States shall recommend”), for “Member States” substitute “The food safety authority”.

**Commission Implementing Regulation (EU) 2019/628 concerning model official certificates for certain animals and goods and amending Regulation (EC) No 2074/2005 and Implementing Regulation (EU) 2016/759 as regards these model certificates**

17.—(1) Commission Implementing Regulation (EU) 2019/628 concerning model official certificates for certain animals and goods and amending Regulation (EC) No 2074/2005 and Implementing Regulation (EU) 2016/759 as regards these model certificates(a) is amended as follows.

(2) For “IMSOC”, in each place where it occurs (including headings to Articles), substitute “the appropriate computerised information management system”.

(3) In Article 1(2)—

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(a) EUR 2019/628.

- (a) in the words before point (a), for “sets out” substitute “makes provision for”;
  - (b) in points (a) and (b), for “the Union” substitute “Great Britain”.
- (4) In Article 2, after point (37) insert—
- “(38) ‘appropriate computerised information management system’ means the computerised information management system for official controls referred to in Article 131 of Regulation (EU) 2017/625;
  - (39) ‘the appropriate authority’ means the appropriate authority as defined in Article 3(2A) of Regulation (EU) 2017/625;
  - (40) ‘entry into Great Britain’ means entry into Great Britain as defined in Article 3(40) of Regulation (EU) 2017/625;
  - (41) ‘third country’ means third country as defined in Article 3(2D) of Regulation (EU) 2017/625;
  - (42) ‘British fishing vessel’ means a fishing vessel registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 for which entry in the register specifies a port in Great Britain as the port to which the vessel is to be treated as belonging.”.
- (5) In Article 3, in the words before point (1)—
- (a) for “Union legislation” substitute “the rules referred to in Article 1(2) of Regulation (EU) 2017/625”;
  - (b) for “the Union” substitute “Great Britain”.
- (6) In Article 4—
- (a) in paragraph 1—
    - (i) for “the Union” substitute “Great Britain”;
    - (ii) for “model official certificate laid down in Annex I” substitute—
 

“form of the model official certificate for the entry into Great Britain of animals, products of animal origin, composite products, germinal products and animal by-products published by the appropriate authority from time to time on its website. References in other legislation which, on or after IP completion day, forms part of retained EU law to the model official certificate set out in Annex 1 to this Regulation are to be read as references to the form of certificate referred to in the previous sentence.”;
  - (b) for paragraph 2 substitute—
 

“2. The model official certificates submitted in the appropriate computerised information management system referred to in paragraph 1 must include all of the specific health guarantees and information required by legislation for the entry into Great Britain of the animals, products of animal origin, composite products, germinal products and animal by-products originating from third countries or regions thereof to which the certificates relate.”.
- (7) For Article 6 substitute—

*“Article 6*

**Guidance on the completion of model official certificates**

The appropriate authority may from time to time publish on its website guidance on the completion of the model official certificates referred to in Articles 12, 13 and 15 to 27.”.

- (8) In Article 7—
- (a) for “the Union”, in both places where it occurs (including in the heading), substitute “Great Britain”;
  - (b) in the unnumbered paragraph—
    - (i) for the words from ““BOV”” to “shall” substitute “to”;

- (ii) after “ungulates” insert “are the appropriate veterinary certificates in the form published by the appropriate authority from time to time for the commodity concerned in accordance with Article 14(b) of Regulation (EU) No 206/2010**(a)**”.
- (9) In Article 8—
- (a) for “the Union”, in both places where it occurs (including in the heading), substitute “Great Britain”;
  - (b) in the unnumbered paragraph—
    - (i) for the words from ““POU”” to “shall” substitute “to”;
    - (ii) after “egg products” insert “are the appropriate veterinary certificates in the form published by the appropriate authority from time to time for the commodity concerned in accordance with Article 4(1) of Regulation (EU) No 798/2008**(b)**”.
- (10) In Article 9—
- (a) for “the Union”, in both places where it occurs (including in the heading), substitute “Great Britain”;
  - (b) in the unnumbered paragraph—
    - (i) for the words from ““WL”” to “shall” substitute “to”;
    - (ii) after “farmed rabbits” insert “are the appropriate model certificates in the form published by the appropriate authority from time to time for the commodity concerned in accordance with Article 4(1) of Regulation (EU) No 119/2009**(c)**”.
- (11) In Article 10—
- (a) for “the Union”, in both places where it occurs (including in the heading), substitute “Great Britain”;
  - (b) in the unnumbered paragraph—
    - (i) for the words from “set out” to “shall” substitute “to”;
    - (ii) after “meat preparations” insert “is the certificate in the form published by the appropriate authority from time to time in accordance with Article 4(2) of Decision 2000/572/EC**(d)**”.
- (12) In Article 11—
- (a) for “the Union”, in each place where it occurs (including in the heading), substitute “Great Britain”;
  - (b) in the unnumbered paragraph—
    - (i) in the first sentence—
      - (aa) for the words from “set out” to “shall” substitute “to”;
      - (bb) after “intestines” insert “is the model animal and public health certificate in the form published by the appropriate authority from time to time in accordance with Article 4(b) of Decision 2007/777/EC**(e)**”;
    - (ii) in the second sentence, for the words from “set out” to the end substitute “to be used is the health certificate in the form published by the appropriate authority from time to time in accordance with Article 1 of Decision 2003/779/EC**(f)**”.
- (13) In Article 12—
- (a) for “the Union”, in each place where it occurs (including in the heading), substitute “Great Britain”;

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(a) EUR 2010/206, as amended prospectively from IP completion day by S.I. 2020/1462.  
 (b) EUR 2008/798, as amended prospectively from IP completion day by S.I. 2020/1462.  
 (c) EUR 2009/119, as amended prospectively from IP completion day by S.I. 2020/1462.  
 (d) EUDN 2000/572, as amended prospectively from IP completion day by S.I. 2020/1462.  
 (e) EUDN 2007/777, as amended prospectively from IP completion day by S.I. 2020/1462.  
 (f) EUDN 2003/779, as amended prospectively from IP completion day by S.I. 2020/1462.

- (b) in the unnumbered paragraph—
    - (i) in the first sentence—
      - (aa) for the words from “set out” to “shall” substitute “to”;
      - (bb) after “marine gastropods” insert “must be in the form published by the appropriate authority from time to time on its website”;
    - (ii) in the second sentence, for the words from “set out” to “Regulation” substitute “published by the appropriate authority from time to time on its website for this purpose”.
- (14) In Article 13—
- (a) for “the Union”, in both places where it occurs (including in the heading), substitute “Great Britain”;
  - (b) in paragraph 1—
    - (i) for the words from “set out” to “shall” substitute “to”;
    - (ii) after “fishery products” insert “must be in the form published by the appropriate authority from time to time on its website”;
  - (c) in paragraph 2—
    - (i) for “vessels flying the flag of a Member State” substitute “a British fishing vessel”;
    - (ii) for the words from “set out” to “shall” substitute “to”;
    - (iii) after “used” insert “must be in the form published by the appropriate authority from time to time on its website”;
  - (d) in paragraph 3—
    - (i) for the words from “, set out” to “shall be” substitute “and”;
    - (ii) after “Delegated Regulation (EU) 2019/625” insert “must be in the form published by the appropriate authority from time to time on its website”.
- (15) In Article 14—
- (a) for “the Union”, in both places where it occurs (including in the heading), substitute “Great Britain”;
  - (b) in the unnumbered paragraph—
    - (i) for the words from ““Milk-RM”” to “shall” substitute “to”;
    - (ii) after “colostrum-based products” insert “are the appropriate health certificates in the form published by the appropriate authority from time to time for the commodity concerned in accordance with Article 5 of Regulation (EU) No 605/2010(a)”.
- (16) In Articles 15 to 25—
- (a) for “the Union”, in each place where it occurs (including in the headings), substitute “Great Britain”;
  - (b) for the words from “set out” to “shall” substitute “to”;
  - (c) after “consumption” insert “must be in the form published by the appropriate authority from time to time on its website”.
- (17) In Article 26—
- (a) for “the Union”, in both places where it occurs (including in the heading), substitute “Great Britain”;
  - (b) for the words from “set out” to “shall” substitute “to”;
  - (c) after “Articles 7 to 25 of this Regulation” insert “must be in the form published by the appropriate authority from time to time on its website”.

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(a) EUR 2010/605, as amended prospectively from IP completion day by S.I. 2020/1462.

(18) In Article 27—

- (a) for “the Union”, in both places where it occurs (including in the heading), substitute “Great Britain”;
- (b) for the words from “set out” to “shall” substitute “to”;
- (c) after “production of sprouts” insert “must be in the form published by the appropriate authority from time to time on its website”.

(19) In Article 28—

- (a) for the words from “set out” to “shall” substitute “to”;
- (b) after “Delegated Regulation (EU) 2019/624” insert—

“must be in the form published by the appropriate authority from time to time on its website, and references in other legislation which, on or after IP completion day, forms part of retained EU law to the model official certificate set out in Annex 4 to this Regulation are to be read as references to the form of certificate published by the appropriate authority from time to time for this purpose on its website”.

(20) In Article 29—

- (a) for the words from “set out” to “shall” substitute “to”;
- (b) after “Delegated Regulation (EU) 2019/624” insert—

“must be in the form published by the appropriate authority from time to time on its website, and references in other legislation which, on or after IP completion day, forms part of retained EU law to the model official certificate set out in Annex 5 to this Regulation are to be read as references to the form of certificate published by the appropriate authority from time to time for this purpose on its website”.

(21) Omit Article 33.

(22) Before Article 34 insert—

*“Article 33A*

**Interpretation**

References in other legislation which, on or after IP completion day, forms part of retained EU law to any model official certificate set out in Annex 3 to this Regulation are to be read as references to the form of certificate published by the appropriate authority from time to time on its website in relation to the animals, goods or products concerned.”.

(23) After Article 34, omit the words from “This Regulation” to “Member States.”.

(24) Omit Annexes 1 to 5.

**Commission Delegated Regulation (EU) 2019/1012 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by derogating from the rules on the designation of control points and from the minimum requirements for border control posts**

**18.**—(1) Commission Delegated Regulation (EU) 2019/1012 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by derogating from the rules on the designation of control points and from the minimum requirements for border control posts(a) is amended as follows.

- (2) In Article 1(b), for “the Union” substitute “Great Britain”.
- (3) After Article 1, insert—

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(a) EUR 2019/1012.

*“Article 1A*

**Definitions**

In this Regulation:

- (a) ‘the competent authority’ has the meaning given in Article 3(3) of Regulation (EU) 2017/625 of the European Parliament and of the Council;
  - (b) ‘entry into Great Britain’ has the meaning given in Article 3(40) of Regulation (EU) 2017/625 of the European Parliament and of the Council.”.
- (4) In Article 2—
- (a) in paragraph 1—
    - (i) for the words from “By way” to “Member State”, in the first place where it occurs, substitute “Where a competent authority”;
    - (ii) for “that Regulation”, in the first place where it occurs, substitute “Regulation (EU) 2017/625(a)”;
    - (iii) for “Member State”, in the second place where it occurs, substitute “competent authority”;
    - (iv) omit “(hereinafter ‘the re-designation’)”;
    - (v) for “paragraphs 2 to 5 of this Article” substitute “Article 59 of Regulation (EU) 2017/625”;
  - (b) omit paragraphs 2 to 5.
- (5) In Article 3—
- (a) for “the Union”, in each place where it occurs (including the heading), substitute “Great Britain”;
  - (b) in paragraph 3, in the words before point (a), for “Member States” substitute “competent authority”.
- (6) In Article 4—
- (a) in paragraph 1, omit the words from “, due to” to “Member State concerned,”;
  - (b) in paragraph 2—
    - (i) in the words before point (a), for “Member States” substitute “The competent authority”;
    - (ii) in point (a), for “the Union” substitute “Great Britain”.
- (7) After Article 5, omit the words from “This Regulation” to “Member States.”.

**Commission Implementing Regulation (EU) 2019/1014 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points**

**19.—**(1) Commission Implementing Regulation (EU) 2019/1014 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points **(b)** is amended as follows.

(2) In Article 2, for point 4 substitute—

“4. ‘registered equidae’ means any equidae which are entered, or registered and eligible for entry in the main section of a breeding book, and identified by means of an identification document issued by:

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(a) EUR 2017/625, as amended prospectively from IP completion day by S.I. 2020/1481.  
(b) EUR 2019/1014.

- (a) the breed society or any other authority of the country where the animal originated which manages the breeding book or register for that breed of animal; or
- (b) any international association or organisation which manages horses for competition or racing;

5. ‘equidae’ means wild or domesticated animals of the equine or asinine species (including zebras) or the offspring of crosses of those species;

6. ‘breeding book’ means breeding book as defined in Article 2(12) of Regulation (EU) 2016/1012 of the European Parliament and of the Council<sup>(a)</sup>;

7. ‘the appropriate authority’ means the appropriate authority as defined in Article 3(2A) of Regulation (EU) 2017/625 of the European Parliament and of the Council;

8. ‘the competent authority’ means ‘the competent authority’ as defined in Article 3(3) of Regulation (EU) 2017/625 of the European Parliament and of the Council;

9. ‘third country’ means third country as defined in Article 3(2D) of Regulation (EU) 2017/625 of the European Parliament and of the Council.”.

(3) In Article 3—

- (a) in paragraph 6, for “Member States” substitute “The competent authority”;
- (b) in paragraph 14—
  - (i) for “Member States” substitute “The competent authority”;
  - (ii) for “Commission”, in the first place where it occurs, substitute “other competent authorities of the constituent territories of the British Islands”;
  - (iii) for “the Commission”, in the second place where it occurs, substitute “such authorities”;

(c) after paragraph 14 insert—

“15. The requirements in the second sentence of paragraph 1(a) do not apply to border control posts which are designated for the goods referred to in Article 47(1)(c) of Regulation (EU) 2017/625 in accordance with Article 59(1) of that Regulation and which were constructed before the date of entry into force of this Regulation and which at that date did not have areas or rooms for unloading which are covered by a roof.”;

(d) In Articles 5(4) and 6(3)—

- (i) in the first subparagraph, for “intra-Union trade” substitute “trade within the British Islands”;
- (ii) in the second subparagraph—
  - (aa) in the words before point (a) and in point (b), for the words from “the Union”, in the first place where it occurs, to “after passing” substitute “Great Britain to a third country or which are moved from one part of the British Islands to another part, having passed”;
  - (bb) in point (b), for “the Union”, in the second place where it occurs, substitute “Great Britain from a third country”;

(e) In Article 7—

- (i) in paragraph 1, for “Member States” substitute “The competent authority”;
- (ii) in paragraph 2, for “Member States” substitute “the competent authority”;

(f) In Article 8—

- (i) in paragraph 2, in the second subparagraph, omit “(IMSOC)”;
- (ii) in paragraph 4—

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(a) EUR 2016/1012, as amended by S.I. 2019/117; there are other amendments but none is relevant.

- (aa) for “Member States notify the Commission”, substitute “the competent authority notifies the other competent authorities of the constituent territories of the British Islands”;
- (bb) for “they shall also submit to the Commission” substitute “the competent authority must also provide to such authorities”;
- (iii) in paragraph 5, for “Member States” substitute “The competent authority”;
- (iv) in paragraph 6—
  - (aa) for “Member States” substitute “The competent authority”;
  - (bb) for “Commission” substitute “other competent authorities of the constituent territories of the British Islands”.
- (4) In Article 10, omit the third subparagraph.
- (5) After Article 10, omit the words from “This Regulation” to “Member States.”.
- (6) In Annex 1, in both tables, in column 3, for “TRACES” substitute “BCP”.
- (7) In Annex 2, in the section headed “Field number 3:”, for “TRACES-CODE” substitute “BCP Code”.

**Commission Delegated Regulation (EU) 2019/1081 establishing rules on specific training requirements for staff for performing certain physical checks at border controls posts**

**20.**—(1) Commission Delegated Regulation (EU) 2019/1081 establishing rules on specific training requirements for staff for performing certain physical checks at border control posts **(a)** is amended as follows.

- (2) In Article 2(3), in the second sentence—
  - (a) omit “in a Member State”;
  - (b) for “that Member State” substitute “the territory for which they are responsible”.
- (3) In Article 3(2)—
  - (a) in point (a)—
    - (i) for “Union legislation” substitute “law”;
    - (ii) for “the Union” substitute “Great Britain”;
  - (b) in point (d), for “Union legislation” substitute “applicable law”;
  - (c) in point (i), for “Union legislation” substitute “law”.
- (4) Omit Article 4.
- (5) After Article 6, omit the words from “This Regulation” to “Member States.”.

**Commission Implementing Regulation (EU) 2019/1715 laying down rules for the functioning of the information management system for official controls and its system components (“the IMSOC Regulation”)**

**21.**—(1) Commission Implementing Regulation (EU) 2019/1715 laying down rules for the functioning of the information management system for official controls and its system components (“the IMSOC Regulation”) **(b)** is amended as follows.

- (2) In the title of the regulation, omit “(“the IMSOC Regulation”)”.
- (3) In Article 1, in paragraph 1—
  - (a) omit points (a) to (c);
  - (b) in point (d)—

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**(a)** EUR 2019/1081.  
**(b)** EUR 2019/1715.



- (i) in the first subparagraph, for “information management system for official controls (IMSOC)” substitute “appropriate computerised information management system”;
  - (ii) in point (i), omit “the format of”;
  - (iii) omit point (iv);
  - (iv) in point (vi), for “IMSOC” substitute “appropriate computerised information management system”.
- (4) In Article 2—
- (a) in point (1), for “IMSOC” substitute “appropriate computerised information management system”;
  - (b) in point (3), omit “Member State’s” and “the Commission, an EU agency,”;
  - (c) in point (5)—
    - (i) omit “Member State’s”;
    - (ii) for “a Member State” substitute “an appropriate authority”;
  - (d) omit point (7);
  - (e) omit points (9) to (12);
  - (f) in point (13) for “RASFF and AAC contact points in each Member State” substitute “contact points for systems for the notification of food and feed risks in each constituent territory of Great Britain”;
  - (g) omit points (14) to (37);
  - (h) omit point (45).
- (5) Omit Article 3.
- (6) In Article 4—
- (a) for “Commission”, in each place where it occurs, substitute “appropriate authority”;
  - (b) in paragraph 4—
    - (i) in the words before point (a), for “IMSOC” substitute “appropriate computerised information management system”;
    - (ii) in point (a), omit “, in collaboration with the Member States”.
- (7) In Article 5, in both places where it occurs, omit “in TRACES”.
- (8) In Article 6, omit paragraph 2.
- (9) In Article 7—
- (a) in paragraph 1—
    - (i) for “IMSOC” substitute “appropriate computerised information management system”;
    - (ii) omit “, including the Member States’ national systems,”;
  - (b) omit paragraph 2;
  - (c) in paragraph 3—
    - (i) for “In collaboration with the Member States, the Commission”, substitute “The appropriate authority”;
    - (ii) omit “including the Member States’ national systems”.
- (10) In Article 8—
- (a) in the heading and in paragraph 1, for “Commission” substitute “appropriate authority”;
  - (b) omit paragraph 2.
- (11) In Article 9—
- (a) in the heading, for “IMSOC” substitute “appropriate computerised information management system”;

- (b) in paragraph 1, for “Commission, in collaboration with the Member States” substitute “appropriate authority”.
- (12) In Article 10—
- (a) in paragraph 1, in point (a) omit “Union”;
  - (b) in paragraph 2—
    - (i) for “Member States” substitute “the appropriate authority and the competent authority”;
    - (ii) for the words from “and Directive” to the end substitute “legislation which, immediately before IP completion day, implemented Directive (EU) 2016/680”.
- (13) In Article 11—
- (a) in paragraph 1—
    - (i) for “Commission” substitute “appropriate authority”;
    - (ii) omit “of the Member States”;
  - (b) in paragraph 2—
    - (i) in the words before point (a), for “Commission” substitute “appropriate authority”;
    - (ii) in point (a), omit the words from “and ensuring” to the end;
    - (iii) omit points (b), (d) and (e);
  - (c) in paragraph 3—
    - (i) in the words before point (a) omit “of the Member States”;
    - (ii) in point (d) omit the words from “and, where” to the end;
  - (d) in paragraph 4—
    - (i) omit “of the Member States”;
    - (ii) omit “within the same Member State”.
- (14) Omit Articles 12 to 38.
- (15) In Article 39—
- (a) in paragraph 1—
    - (i) in the first subparagraph, for “the Union” substitute “Great Britain”;
    - (ii) in point (a)—
      - (aa) omit point (i);
      - (bb) in point (ii), omit “Member State’s”;
      - (cc) omit point (iii);
      - (dd) in point (iv), omit “Member State’s”;
  - (b) in paragraph 2—
    - (i) for “(a)(iii) or (iv)” substitute “(a)(iv)”;
    - (ii) for “TRACES or the Member State’s national system” substitute “a national system”;
  - (c) omit paragraphs 3 and 4.
- (16) In Article 40—
- (a) in paragraph 1—
    - (i) in the first subparagraph, for the words from “The CHED shall contain” to “Regulation and” substitute “The appropriate authority shall publish on a website the format of the CHED and instructions for its presentation and use. The CHED shall”;
    - (ii) in each of points (a) to (d), omit the words from “drawn up” to “this Regulation”;
  - (b) in paragraph 2—
    - (i) for point (a) substitute—

“(a) drawn up in English and one of the official languages of the country of destination and may also be in Welsh;”;

(ii) in point (b)—

(aa) omit the words from “in at least” to “Regulation,”;

(bb) in point (i), omit the words from “as described” to the end;

(cc) in point (ii), omit the words from “as described” to the end;

(dd) for point (iii) substitute—

“(iii) the competent authority at the border control post of exit, as regards the information on the follow-up measures taken on the consignment after a decision has been taken.”;

(c) omit paragraph 3.

(17) In Article 41—

(a) for paragraph 1 substitute—

“1. An operator or a competent authority may use a CHED in an electronic format, provided that this is by means of a national system, and that the CHED meets all of the following requirements:

(a) it is signed by the operator responsible for the consignment with the operator’s electronic signature;

(b) it is signed by the certifying officer at border control posts or control points with the certifying officer’s advanced or qualified electronic signature;

(c) it bears the advanced or qualified electronic seal of the issuing competent authority;”;

(b) omit paragraph 2;

(c) in paragraph 3, for “paragraphs 1 and 2” substitute “paragraph 1”.

(18) In Article 42—

(a) in paragraph 1, for “TRACES and the Member States’ national systems” substitute “a national system”;

(b) in paragraph 2, for “TRACES and the Member States’ national systems” substitute “a national system”;

(c) omit paragraph 3.

(19) Omit Articles 43 to 46.

(20) In Article 48, omit the third paragraph.

(21) Omit Annexes 1 and 2.

**Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council and repealing Commission Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660**

**22.—**(1) Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council and repealing Commission Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660(a) is amended as follows.

(2) In Article 1—

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(a) EUR 2019/1793.

- (a) in paragraph 1 in points (a), (b) and (ba), for “the Union” substitute “Great Britain”;
  - (b) in paragraph 2, for “the Union market”, substitute “the market in Great Britain”.
- (3) In Article 2, in paragraph 1, after point (b) insert—
- “(c) “appropriate computerised information management system” means the computerised information management system for official controls referred to in Article 131 of Regulation (EU) 2017/625.”.
- (4) After Article 2 insert—

*“Article 2A*

**References to CN codes and TARIC classifications**

For the purpose of this Regulation, any reference to the Combined Nomenclature, CN codes, TARIC classifications, or a sub-division in respect of those codes or classifications, shall be read as a reference to the relevant corresponding provisions in the customs tariff, as established under section 8(1) of the Taxation (Cross-border Trade) Act 2018(a).”.

- (5) In Article 3, in points (c) and (d), before “Directive 2002/63/EC” insert “the methods described in the Annex to”.
- (6) In Article 5, in paragraph 1, for “the Union” substitute “Great Britain”.
- (7) In the heading to Section 3, for “THE UNION”, in both places where it occurs, substitute “GREAT BRITAIN”.
- (8) In Article 7—
- (a) in the heading, for “the Union” substitute “Great Britain”;
  - (b) in paragraph 1, for “the Union” substitute “Great Britain”;
  - (c) in paragraph 2, omit the words from “from” to “sub-division”;
  - (d) in paragraph 3, for “the Union” substitute “Great Britain”.
- (9) In Article 10, in paragraph 2(a), for “and Directive 2002/32/EC” substitute “, Part 4 of the Animal Feed (Scotland) Regulation 2010(b), Part 6 of the Animal Feed (Composition, Marketing and Use) (England) Regulations 2015(c) and Part 6 of the Animal Feed (Composition, Marketing and Use) (Wales) Regulations 2016(d)”.
- (10) In Article 11—
- (a) in paragraph 1, for “set out in Annex IV (‘official certificate’)” substitute “published by the appropriate authority, as amended from time to time”;
  - (b) in paragraph 3—
    - (i) for the words from “Information” to “(IMSOC)” substitute “appropriate computerised information management system”;
    - (ii) for “IMSOC”, in the second place where it occurs, substitute “the appropriate computerised information management system”;
  - (c) in paragraph 5, for “the notes set out in Annex IV” substitute “guidance which the appropriate authority may publish on its website, as amended from time to time”.
- (11) In Article 11a—
- (a) in the heading and paragraph 1, for “the Union” substitute “Great Britain”;
  - (b) in paragraph 1, for “Member States” substitute “Competent authorities”;
  - (c) in paragraph 2—
    - (i) for “the Union market” substitute “the market in Great Britain”;

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(a) 2018 c. 22.  
 (b) S.S.I. 2010/373, as amended by S.S.I. 2017/38.  
 (c) S.I. 2015/255, as amended by S.I. 2019/675.  
 (d) S.I. 2016/386 (W. 120).

- (ii) for “the customs territory of the Union” substitute “Great Britain”.
- (12) In Article 12, for “Commission shall”, substitute “appropriate authority must”.
- (13) Omit Article 14.
- (14) In Article 15, omit the third paragraph.
- (15) In the heading to Annex 2, for “the Union” substitute “Great Britain”;
- (16) In the heading to Annex 2a, for “the Union” substitute “Great Britain”.
- (17) Omit Annex 4.

**Commission Delegated Regulation (EU) 2019/2074 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules on specific official controls on consignments of certain animals and goods originating from, and returning to the Union following a refusal of entry by a third country**

23.—(1) Commission Delegated Regulation (EU) 2019/2074 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules on specific official controls on consignments of certain animals and goods originating from, and returning to the Union following a refusal of entry by a third country<sup>(a)</sup> is amended as follows.

(2) In Article 1, for “the Union” substitute “Great Britain, or originating from and returning to the Crown Dependencies via a point of entry in Great Britain,”.

(3) After Article 1 insert—

*“Article 1A*

**Definitions**

In this Regulation—

- (a) ‘Crown Dependencies’ means the Bailiwick of Jersey, the Bailiwick of Guernsey and the Isle of Man;
  - (b) ‘third country’ has the meaning given in Article 3(2D) of Regulation (EU) 2017/625 of the European Parliament and of the Council.”.
- (4) In Article 2—
- (a) in the heading, for “the Union” substitute “Great Britain, or originating from and returning to the Crown Dependencies via a point of entry in Great Britain,”;
  - (b) in paragraph 1—
    - (i) for “the Union”, in the first place where it occurs, substitute “Great Britain”;
    - (ii) for “the Union”, in the second place where it occurs, substitute “Great Britain, or originating from and returning to the Crown Dependencies via a point of entry in Great Britain,”;
  - (c) in paragraph 2, in the words before point (a)—
    - (i) for “the Union”, in the first place where it occurs, substitute “Great Britain”;
    - (ii) for “the Union”, in the second place where it occurs, substitute “Great Britain, or originating from and returning to the Crown Dependencies via a point of entry in Great Britain,”;
  - (d) in paragraph 3, in the words before point (a), for “the Union” substitute “Great Britain”;
  - (e) in paragraph 4—
    - (i) for “the Union”, in both places where it occurs, substitute “Great Britain”;
    - (ii) omit “(‘IMSOC’)”.
- (5) In Article 3—

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<sup>(a)</sup> EUR 2019/2074.

- (a) in paragraph 1—
  - (i) in the words before point (a)—
    - (aa) for “the Union”, in the first two places where it occurs, substitute “Great Britain”;
    - (bb) for “the Union”, in the third place where it occurs, substitute “Great Britain, or originating from and returning to the Crown Dependencies via a point of entry in Great Britain.”;
  - (ii) in point (a), for “Annex to” substitute “list published and amended from time to time in accordance with Article 3 of”;
  - (iii) for point (b) substitute—
    - “(b) composite products that are:
      - (i) listed in the list published by the Secretary of State, as amended from time to time, in accordance with Article 3(1) and (4) of Decision 2007/275/EC(a) that would, immediately before IP completion day, have fallen within the lists in Chapters 16 to 22 of Annex 1 to Decision 2007/275/EC(b) as it had effect immediately before IP completion day; and
      - (ii) subject to official controls at border control posts of arrival into Great Britain in accordance with Article 4 of that Decision.”;
- (b) in paragraph 2—
  - (i) in point (a)—
    - (aa) for the words from “competent authority” to “origin”)” substitute “relevant competent authority when the goods were despatched to a third country”;
    - (bb) for “IMSOC” substitute “the appropriate computerised information management system”;
  - (ii) in point (c)—
    - (aa) for “the Union”, in the first place where it occurs, substitute “Great Britain or the Crown Dependencies (as the case may be)”;
    - (bb) for “Member State” substitute “constituent territory of Great Britain”;
    - (cc) for “the Union”, in the second place where it occurs, substitute “Great Britain”;
- (c) in paragraph 4, for “the Union” substitute “Great Britain”;
- (d) for paragraph 5 substitute—
 

“5. Where the competent authority of the place of destination has issued the declaration referred to in paragraph 2(c), the competent authority at the border control post of arrival shall monitor the transport and arrival at the place of destination of the consignment—

  - (a) in accordance with Delegated Regulation (EU) 2019/1666(c), or
  - (b) in relation to consignments of products originating from and returning to the Crown Dependencies via a point of entry in Great Britain, in accordance with the appropriate arrangements between the competent authorities in Great Britain and the Crown Dependencies for the monitoring of the transport of consignments from the border post of arrival into Great Britain to the establishment at the place of destination.”.
- (6) After Article 3, insert—

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(a) EUDN 2007/275, as amended prospectively from IP completion day by S.I. 2020/1462.  
 (b) OJ No L 116, 4.5.2007, p.9, as last amended by Commission Implementing Regulation (EU) 2019/2007 (OJ No L 312, 3.12.2019, p.1).  
 (c) EUR 2019/1666.

*“Article 3a*

**Transitional derogations and modifications: animals and goods entering Great Britain from a relevant third country**

1. During the transitional staging period to relevant goods originating from and returning to Great Britain, or originating from and returning to the Crown Dependencies via a point of entry in Great Britain, following refusal of entry by a relevant third country, this Regulation applies subject to the derogations and modifications specified in Annex 6 to Regulation (EU) 2017/625.

2. In this Article ‘the transitional staging period’, ‘relevant goods’, and ‘relevant third country’ have the meanings given in Annex 6 to that Regulation.”.

(7) In the words at the end, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

**Commission Implementing Decision (EU) 2019/2098 on temporary animal health requirements for consignments of products of animal origin for human consumption originating in and returning to the Union following a refusal of entry by a third country**

24.—(1) Commission Implementing Decision (EU) 2019/2098 on temporary animal health requirements for consignments of products of animal origin for human consumption originating in and returning to the Union following a refusal of entry by a third country<sup>(a)</sup> is amended as follows.

(2) In Article 1—

(a) for paragraph 1 substitute—

“1. Where the requirements specified in paragraph 1A are met, the competent authority at a border control post must authorise the entry into Great Britain of a consignment of products of animal origin which—

- (a) has been refused entry by a third country; and
- (b) is being returned to its territory of origin in Great Britain or in any of the Crown Dependencies via a border control post in Great Britain.

1A. The requirements specified in this paragraph are that the consignment being returned is accompanied by—

- (a) the original official certificate or document issued by the competent authority in Great Britain or in any of the Crown Dependencies responsible for the territory from which the returned consignment originated or an authenticated copy or electronic equivalent of that certificate or document;
- (b) a declaration from the competent authority responsible for the territory of destination of the returned consignment agreeing to receive the consignment and indicating the place of its destination;
- (c) a document or declaration indicating—
  - (i) the reason for the refusal of entry by the third country;
  - (ii) where applicable, the place and date of unloading, storage and re-loading in the third country; and
- (d) in the case of—
  - (i) containers or packages with an intact original seal, a declaration by the operator responsible for the consignment that—

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(a) EUDN 2019/2098.

- (aa) transportation of the consignment has taken place under conditions appropriate for the type of product of animal origin contained in the consignment; and
- (bb) the contents of the consignment were not altered during transportation; or
- (ii) any other consignment, an attestation by the competent authority or other public authority of the third country that—
  - (aa) the products of animal origin did not undergo any handling other than (where applicable) unloading, storage and re-loading in the third country;
  - (bb) effective measures were put in place to avoid the contamination of the products of animal origin with disease agents causing any of the transmissible animal diseases listed in paragraph 1B during any unloading, storage and re-loading; and
  - (cc) the place of any unloading, storage or re-loading was not, at the time of the unloading, storage or re-loading, subject to animal health movement restrictions imposed in connection with any of the transmissible animal diseases listed in paragraph 1B.

1B. The transmissible animal diseases listed in this paragraph are—

- Classical swine fever;
- African swine fever;
- Foot and mouth disease;
- Avian influenza;
- Newcastle disease;
- Rinderpest;
- Sheep and goat plague;
- Swine vesicular disease;
- Aquaculture diseases.

1C. In this Decision—

‘aquaculture disease’ means a disease listed in Annex 1A to Commission Regulation (EC) No 1251/2008 implementing Council Directive 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species<sup>(a)</sup>;

‘Crown Dependency’ means the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man;

‘entry into Great Britain’ or ‘entering Great Britain’ has the meaning given in Article 3(40) of Regulation (EU) 2017/625<sup>(b)</sup>;

‘entry point’ means the point at which animals and goods enter Great Britain, including, but not limited to, a border control post;

‘products of animal origin’ has the meaning given in point 8.1 of Annex 1 to Regulation (EC) No 853/2004;

‘third country’ means any country or territory outside the British Islands.”;

(b) in paragraph 2—

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(a) EUR 1251/2008. Annex 1A was inserted by S.I. 2020/1388.

(b) The definitions of ‘entry into Great Britain’ and ‘entering Great Britain’ in Article 3 of Regulation (EU) 2017/625 were inserted by S.I. 2020/1481.



- (i) for “1(a)” substitute “1A(a)”;
  - (ii) for “of the Member State of export” substitute “responsible for the constituent territory of Great Britain or for the Crown Dependency from which the consignment originated”.
- (3) Omit Article 3.
- (4) After Article 3, insert—

*“Article 4*

**Transitional derogations and modifications**

1. The provisions of this Decision apply subject to the transitional derogations and modifications specified in Annex 6 to Regulation (EU) 2017/625<sup>(a)</sup> and in paragraphs 2 and 3 of this Article during the transitional staging period, in relation to relevant goods being returned to Great Britain after having been refused entry by a relevant third country, as if those goods had originated in that third country.
2. In Article 1—
- (a) in paragraph 1, for “a border control post”, in both places where it occurs, substitute “an entry point”;
  - (b) omit paragraph 3.
3. In this Article “transitional staging period”, “relevant goods” and “relevant third country” have the meanings given in Annex 6 to Regulation (EU) 2017/625.”.

**Commission Delegated Regulation (EU) 2019/2123 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts**

**25.**—(1) Commission Delegated Regulation (EU) 2019/2123 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts<sup>(b)</sup> is amended as follows.

- (2) In Article 1—
- (a) in paragraph 1(a)—
    - (i) in point (i)—
      - (aa) after “Council” insert “other than those specified in paragraph 1A.”;
      - (bb) after “in accordance with” insert “or regulations made under.”;
      - (cc) for “53(3)” substitute “53(2)”;
    - (ii) in point (ii), after “acts” insert “or regulations (as the case may be)”;
  - (b) in paragraph 1(b), at the end insert “, other than those specified in paragraph 1A”;
  - (c) after paragraph 1, insert—

“1A. This Regulation does not apply to consignments of plants, plant products, and other objects referred to in Articles 72(1) and 74(1) of Regulation (EU) 2016/2031 entering Great Britain from a relevant third country during the transitional staging period where such consignments:

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(a) Annex 6 to Regulation (EU) 2017/625 was inserted by S.I. 2020/1481.  
 (b) EUR 2019/2123.

- (a) have been the subject of any requisite notification prior to their entry into Great Britain;
- (b) are not presented to a border control post for official controls.

1B. In paragraph 1A ‘the transitional staging period’ and ‘relevant third country’ have the meanings given in Annex 6 to Regulation (EU) 2017/625.”;

- (d) in paragraph 2, for “the Union” substitute “Great Britain from a third country”.
- (3) After Article 1 insert—

*“Article 1A*  
**Definitions**

In this Regulation:

- (a) ‘appropriate computerised information management system’ means the computerised information management system for official controls referred to in Article 131 of Regulation (EU) 2017/625;
- (b) ‘the competent authority’ has the meaning given in Article 3(3) of Regulation (EU) 2017/625;
- (c) ‘GB pest-free area’ has the meaning given in Article 2(31) of Regulation (EU) 2016/2031;
- (d) ‘GB quarantine pest’ has the meaning given in Article 4 of Regulation (EU) 2016/2031;
- (e) ‘PFA quarantine pest’ has the meaning given in Article 32(1) of Regulation (EU) 2016/2031;
- (f) ‘provisional GB quarantine pest’ has the meaning given in Article 30(A1) of Regulation (EU) 2016/2031;
- (g) ‘third country’ has the meaning given in Article 3(2D) of Regulation (EU) 2017/625.”.

(4) In Article 2—

- (a) in paragraph 1—
  - (i) in point (c), for “has” substitute “have”;
  - (ii) in point (d), for the words from “information” to “(‘IMSOC’)” substitute “appropriate computerised information management system”;
  - (iii) in point (g)(i)—
    - (aa) after “in accordance with”, in the first place where it occurs, insert “, or regulations made under.”;
    - (bb) for “53(3)” substitute “53(2)”;
  - (iv) in point (h), for the words from “kept a” to the end substitute “provided or made available to the customs authorities a copy of that CHED in accordance with paragraph 7(1)(b) and (2) of Schedule 1 to the Taxation (Cross-border Trade) Act 2018(a).”;
- (b) in paragraph 2, for “IMSOC”, in both places where it occurs, substitute “the appropriate computerised information management system”;
- (c) omit paragraph 3.

(5) In Article 3(1), in the words before point (a), after “acts” insert “and regulations”.

(6) In Article 4(1)(b)—

- (a) after “in accordance with” insert “, or regulations made under.”;
- (b) for “53(3)” substitute “53(2)”.

- (7) In Article 5—
- (a) in paragraph 1, for the words from “the pests” to the end substitute “GB quarantine pests or provisional GB quarantine pests and, in the case of GB pest-free areas, with the PFA quarantine pest in respect of which the area was established.”;
  - (b) omit paragraphs 2 and 3.
- (8) In Article 6—
- (a) in paragraph 2, for “IMSOC” substitute “the appropriate computerised information management system”;
  - (b) in paragraph 3, omit “, or where Article 2(3) applies, the CHED referred to in point (c) of Article 2(1),”;
  - (c) in paragraph 4, for the words from “keep a” to the end substitute “provide or make available to the customs authorities a copy of that CHED in accordance with paragraph 7(1)(b) and (2) of Schedule 1 to the Taxation (Cross-border Trade) Act 2018.”.
- (9) In Article 7—
- (a) in the words before point (a), for “the Union” substitute “Great Britain from a third country”;
  - (b) in point (a), omit the words from “, provided” to “consignment”;
  - (c) in point (b), for “the Union” substitute “Great Britain”.
- (10) In Article 8(1)(a)(i), (ii) and (iii), for “IMSOC” substitute “the appropriate computerised information management system”.
- (11) In Article 10, omit the fourth sentence.
- (12) After Article 10, omit the words from “This Regulation” to “Member States.”.

**Commission Delegated Regulation (EU) 2019/2124 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transshipment and onward transportation through the Union, and amending Commission Regulations (EC) No 798/2008, (EC) No 1251/2008, (EC) No 119/2009, (EU) No 206/2010, (EU) No 605/2010, (EU) No 142/2011, (EU) No 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC**

**26.**—(1) Commission Delegated Regulation (EU) 2019/2124 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transshipment and onward transportation through the Union, and amending Commission Regulations (EC) No 798/2008, (EC) No 1251/2008, (EC) No 119/2009, (EU) No 206/2010, (EU) No 605/2010, (EU) No 142/2011, (EU) No 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC **(a)** is amended as follows.

(2) For “IMSOC”, in each place where it occurs (including headings to Articles), except in point (6) of Article 2, substitute “appropriate computerised information management system”.

(3) In Article 1(1)—

(a) in point (a)—

(i) in the words before point (i)—

(aa) after “goods” insert “from a third country”;

(bb) for “the Union” substitute “Great Britain or the Crown Dependencies”;

(ii) in point (i), omit “the lists established pursuant to”;

(iii) in point (iii), after “acts” insert “, or regulations (as the case may be),”;

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(a) EUR 2019/2124.

- (b) in point (b)—
    - (i) after “sea” insert “from a third country”;
    - (ii) for “the Union” substitute “Great Britain”;
  - (c) in point (c)—
    - (i) in point (ii), omit “the lists established pursuant to”;
    - (ii) in point (iv), for “or acts” substitute “provided for by the acts or regulations (as the case may be)”;
  - (d) in point (d)(ii), omit “the lists established pursuant to”.
- (4) After Article 1 insert—

*“Article 1A*

**Disapplication for relevant goods entering Great Britain from a relevant third country during the transitional staging period**

1. This Regulation does not apply to relevant goods entering Great Britain during the transitional staging period from a relevant third country to be placed on the market in Great Britain or the Crown Dependencies where such goods have been the subject of any requisite notification prior to their entry into Great Britain.

2. Where the condition in paragraph 3 is satisfied, this Regulation does not apply to relevant goods which—

- (a) enter Great Britain during the transitional staging period from a relevant third country, to travel to:
  - (i) a third country (including a NATO or US military base located in a third country), whether directly or through another part of the British Islands;
  - (ii) a NATO or US military base located in the territory of Great Britain or any of the territories of the Crown Dependencies; or
  - (iii) a vessel leaving the territories of Great Britain and, if applicable, the Crown Dependencies to travel to a third country, where the consignment is intended for ship supplying purposes; and
- (b) have been the subject of any requisite notification prior to their entry into Great Britain.

3. The condition referred to in paragraph 2 is that the operator responsible for the consignment undertakes to notify the competent authority of the point of entry into Great Britain when the consignment:

- (a) leaves the territory of Great Britain or, if applicable, the Crown Dependencies to travel to a third country (including a NATO or US military base located in a third country), whether directly or through another part of the British Islands;
- (b) is transported to a NATO or US military base located in the territory of Great Britain or any of the territories of the Crown Dependencies; or
- (c) is transported to a vessel leaving the territories of Great Britain and, if applicable, the Crown Dependencies to travel to a third country, where the consignment is intended for ship supplying purposes.

4. In this Article ‘relevant goods’, ‘relevant third country’ and ‘the transitional staging period’ have the meanings given in Annex 6 to Regulation (EU) 2017/625.”.

(5) In Article 2—

- (a) in point (2), for “the Union” substitute “Great Britain”;
- (b) in point (3), for point (a) substitute—
  - “(a) a customs warehouse;

- (aa) a warehouse in a free zone as defined in paragraph 2(5) of Schedule 2 to the Taxation (Cross-border Trade) Act 2018;
- (ab) a temporary storage facility; or”;
- (c) after point (3) insert—
  - “(3A) ‘customs warehouse’ means premises approved by HMRC as referred to in paragraphs 2 and 3 of Schedule 2 to the Taxation (Cross-border Trade) Act 2018;
  - (3B) ‘temporary storage facility’ has the meaning given in section 25A of the Customs and Excise Management Act 1979(a);”;
- (d) in point (4), for “the Union” substitute “Great Britain or the Crown Dependencies”;
- (e) in point (5)—
  - (i) for “the Union” substitute “Great Britain or the Crown Dependencies”;
  - (ii) for “Member State of” substitute “competent authority for the place of final”;
- (f) in point (6), for the words from the beginning to “means the” substitute “‘appropriate computerised information management system’ means the computerised”;
- (g) in point (7)—
  - (i) for “the Union”, in the first and fourth places where it occurs, substitute “Great Britain”;
  - (ii) for “the Union”, in the second place where it occurs, substitute “Great Britain from a third country”;
  - (iii) after “market” insert “in Great Britain or the Crown Dependencies”;
  - (iv) for “Union territory” substitute “territories of Great Britain and, where applicable, the Crown Dependencies”;
- (h) in point (8), for “Union” substitute “GB”;
- (i) after point (8) insert—
  - “(8A) ‘GB quarantine pest’ has the meaning given by Article 4 of Regulation (EU) 2016/2031;
  - (8B) ‘provisional GB quarantine pest’ has the meaning given in Article 30(A1) of Regulation (EU) 2016/2031;
  - (8C) ‘PFA quarantine pest’ has the meaning given by Article 32(1) of Regulation (EU) 2016/2031;
  - (8D) ‘GB pest-free area’ has the meaning given in Article 2(31) of Regulation (EU) 2016/2031;”;
- (j) after point (10), insert—
  - “(11) ‘the competent authority’ has the meaning given in Article 3(3) of Regulation (EU) 2017/625 of the European Parliament and of the Council;
  - (12) ‘Crown Dependencies’ means the Bailiwick of Jersey, the Bailiwick of Guernsey and the Isle of Man;
  - (13) ‘third country’ has the meaning given in Article 3(2D) of Regulation (EU) 2017/625.”.
- (6) In Articles 3 to 5, for “the Union”, in each place where it occurs, substitute “Great Britain”.
- (7) In Article 6—
  - (a) in paragraphs 2, 4 and 6, for “the Union”, in each place where it occurs, substitute “Great Britain”;
  - (b) in paragraph 3(a), for “Union”, in both places where it occurs, substitute “GB”.

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(a) 1979 c.2; section 25A was substituted by S.I. 1991/2724 and amended by S.I. 1993/3014 and 2011/1043, and section 29 of, and paragraphs 3 and 17 of Schedule 7 to, the Taxation (Cross-border Trade) Act 2018 (c. 22).

- (8) In Article 7, for “the Union”, in each place where it occurs, substitute “Great Britain”.
- (9) In Article 8, after paragraph 2 insert—
- “3. This Article applies where the place of final destination is in Great Britain.”.
- (10) In Article 9—
- (a) in paragraph 1—
- (i) in the words before point (a), for “Member States” substitute “A competent authority in Great Britain”;
- (ii) in point (a), omit the words from “as referred” to “respectively”;
- (b) in paragraph 2, for “Member States” substitute “the competent authority”.
- (11) In Article 10, for “Member States” substitute “The competent authority”.
- (12) In Article 11—
- (a) in paragraph 1—
- (i) after “sea” insert “from a third country”;
- (ii) for “the Union”, in the first place where it occurs, substitute “Great Britain or in the Crown Dependencies,”;
- (iii) for “the Union”, in the second place where it occurs, substitute “Great Britain and, where applicable, the Crown Dependencies”;
- (b) in paragraph 3, in the second subparagraph, before “point (d)” insert “in”;
- (c) in paragraph 4, for “the Union” substitute “Great Britain”.
- (13) In Article 13—
- (a) in paragraph 3, for “suspects” substitute “suspect”;
- (b) in paragraph 4, for “Union territory” substitute “territory of Great Britain to be transported to a third country”;
- (c) in paragraph 5—
- (i) for “the Union”, in the first place where it occurs, substitute “Great Britain”;
- (ii) for “Union market” substitute “market in Great Britain or the Crown Dependencies”;
- (d) in paragraph 6—
- (i) for “the Union”, in the first place where it occurs, substitute “Great Britain”;
- (ii) for “Union territory” substitute “territory of Great Britain and, where applicable, the Crown Dependencies”.
- (14) In Article 15(4), for “the Union” substitute “Great Britain”.
- (15) In Article 17—
- (a) for “the Union”, in both places where it occurs, substitute “Great Britain”;
- (b) in paragraph 1, after “acts” insert “, or regulations (as the case may be),”.
- (16) In the heading to Chapter 4, for “Union territory” substitute “territory of Great Britain”.
- (17) In the heading to Section 1, for “the Union” substitute “Great Britain”.
- (18) In Article 18, for “the Union”, in both places where it occurs, substitute “Great Britain”.
- (19) In Article 19—
- (a) in the words before point (a)—
- (i) for “the Union” substitute “Great Britain”;
- (ii) after “composite products” insert “from one third country to another third country”;
- (b) in point (e)—
- (i) in point (i), for “Union territory” substitute “territory of Great Britain to be transported to a third country”;

- (ii) in point (iii), for “Union territory” substitute “territory of Great Britain or any of the territories of the Crown Dependencies”;
  - (iii) in point (iv), for “Union, where,” substitute “territory of Great Britain to travel to a third country where”.
- (20) In Article 20, for “the Union” substitute “Great Britain”.
- (21) In Article 21—
- (a) in the heading, for “Union territory” substitute “territory of Great Britain to travel to a third country”;
  - (b) in paragraph 1—
    - (i) for “Union territory” substitute “territory of Great Britain to travel to a third country”;
    - (ii) for “the Union”, in the second place where it occurs, substitute “Great Britain”;
    - (iii) for “laid down in Annex to” substitute “referred to in Article 2 of”;
  - (c) in paragraph 2, for “the Union” substitute “Great Britain”.
- (22) In Article 22—
- (a) in paragraph 1—
    - (i) after “for transit”, insert “from one third country to another third country”;
    - (ii) for “the Union” substitute “Great Britain”;
  - (b) in paragraph 3(b), for “the Union” substitute “Great Britain”;
  - (c) in paragraph 4(a), for the words from “the pests” to the end substitute “GB quarantine pests or provisional GB quarantine pests and, in the case of GB pest-free areas, with the PFA quarantine pest in respect of which the area was established;”.
- (23) In Article 23(2)(b), for the words from “Articles” to the end substitute “section 25 or 100A of the Customs and Excise Management Act 1979(a), Article 51 of Council Regulation (EEC) No 2913/92(b), or paragraphs 2 and 3 of Schedule 2 to the Taxation (Cross-border Trade) Act 2018;”.
- (24) In Article 24—
- (a) in point (a)—
    - (i) in the words before point (i), for “Union territory” substitute “territory of Great Britain”;
    - (ii) in point (ii), after “destination” insert “in a third country”;
  - (b) in point (c), for “Union territory” substitute “territory of Great Britain or any of the territories of the Crown Dependencies”;
  - (c) in point (d), for “Union” substitute “territory of Great Britain to travel to a third country”.
- (25) In Article 25, for “Member States” substitute “The competent authority”.
- (26) In Article 27(2) and (3), after “Regulation (EU) No 952/2013” insert “or Part 9 of the Customs (Import Duty) (EU Exit) Regulations 2018(c)”.
- (27) In Article 28(c), for “the Union”, in both places where it occurs, substitute “Great Britain”.
- (28) In Article 29—
- (a) in the heading, for “Union” substitute “territory of Great Britain to travel to a third country”;
  - (b) in point (c), for “set out in the Annex to” substitute “referred to in Article 2 of”.

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(a) Section 25 was substituted by S.I. 1991/2724 and amended by S.I. 1992/3095, 1993/3014, 2011/1043, and section 29 of, and paragraphs 3 and 16 of Schedule 7 to, the Taxation (Cross-border Trade) Act 2018 (c. 22); section 100A was inserted by section 8 of, and Part 1 of Schedule 4 to, the Finance Act 1984 (c.43).

(b) OJ No L 302, 19.10.1992, p.1; as last amended and then repealed with effect from 1 June 2016 by Regulation (EU) No 952/2013 (OJ No L 269, 10.10.2013, p.1).

(c) S.I. 2018/1248, as amended by S.I. 2019/1346 and prospectively by S.I. 2019/486; there are other amendments which are not relevant to these Regulations.

(29) In Article 31—

- (a) for “Union territory”, in each place where it occurs (including the heading), substitute “territory of Great Britain to travel to a third country”;
- (b) in paragraphs 1, 3 and 5, for “the Union”, in each place where it occurs, substitute “Great Britain”;
- (c) in paragraph 3(b), omit “or existing national systems”;
- (d) in paragraph 4, for “the Union”, in the second place where it occurs, substitute “Great Britain”.

(30) In the heading to Section 3, for “Union territory” substitute “territory of Great Britain to be transported to a third country”.

(31) In Article 32—

- (a) for “Union territory”, in each place where it occurs (including the heading), substitute “territory of Great Britain”;
- (b) in paragraph 2—
  - (i) after “official certificate” insert “prepared”;
  - (ii) for “set out in Annex to” substitute “referred to in Article 2 of”.

(32) In Article 33—

- (a) for “Union territory”, in each place where it occurs (including the heading), substitute “territory of Great Britain to be transported to a third country”;
- (b) in paragraph 1—
  - (i) after “where” insert “products of animal origin,”;
  - (ii) after “by-products,” insert “derived products,”;
- (c) in paragraph 2, for “part III of the official certificate in accordance with the model set out in Annex to” substitute “the relevant part of the official certificate prepared in accordance with the model referred to in”.

(33) Omit Article 34.

(34) In Article 35—

- (a) for “Union territory”, in both places where it occurs (including the heading), substitute “territory of Great Britain or any of the territories of the Crown Dependencies”;
- (b) in paragraph 1—
  - (i) after “official certificate” insert “prepared”;
  - (ii) for “set out in Annex to” substitute “referred to in Article 2 of”;
- (c) after paragraph 1 insert—

“1A. Where the competent authority responsible for controls at the NATO or US military base at the place of destination performs the controls in paragraph 2 and does not enter the outcome of these controls in the appropriate computerised information management system, the competent authority of the border control post which authorised the movement of goods to the NATO or US military base must make such entry promptly upon receiving notification of the outcomes of such controls.”;

(d) in paragraph 2—

- (i) for the words from the beginning to “perform” substitute “The controls referred to in paragraph 1A are”;
- (ii) after “official certificate” insert “prepared”;
- (iii) for “laid down in Annex to” substitute “referred to in Article 2 of”;
- (iv) for “Regulation (EU) 2019/2128” to “verify” substitute “Regulation (EU) 2019/2128, including verification”;
- (v) omit the final sentence.



(35) Omit Article 36.

(36) In the heading to Chapter 5, for “one part of the Union territory to another part of the Union territory” substitute “Great Britain to any of the Crown Dependencies or from any of the Crown Dependencies to Great Britain”.

(37) In Article 37—

- (a) in paragraph 1—
  - (i) omit “of the Member States”;
  - (ii) for “one part of the Union territory to another part of the Union territory” substitute “Great Britain to any of the Crown Dependencies or from any of the Crown Dependencies to Great Britain”;
- (b) in paragraph 2—
  - (i) after “paragraph 1” insert “from any of the Crown Dependencies”;
  - (ii) for “re-introduced into the Union territory” substitute “introduced into Great Britain”;
- (c) in paragraphs 3 and 4, for “re-introduction into the Union” substitute “introduction into Great Britain”;
- (d) in paragraph 5—
  - (i) for “one part of the Union territory” substitute “Great Britain”;
  - (ii) for “another part of the Union territory” substitute “any of the Crown Dependencies”;
  - (iii) for “the Union territory”, in the third place where it occurs, substitute “Great Britain”;
- (e) in paragraph 6—
  - (i) in the words before point (a), for “the Union” substitute “Great Britain”;
  - (ii) in point (b), for “DIFFERENT PARTS OF THE EUROPEAN UNION” substitute “GREAT BRITAIN AND THE CHANNEL ISLANDS OR THE ISLE OF MAN”.

(38) Omit Articles 38 and 40 to 48.

(39) After Article 49, omit the words from “This Regulation” to “Member States.”.

**Commission Delegated Regulation (EU) 2019/2125 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules concerning the performance of specific official controls of wood packaging material, notification of certain consignments and measures to be taken in cases of non-compliance**

27.—(1) Commission Delegated Regulation (EU) 2019/2125 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules concerning the performance of specific official controls of wood packaging material, notification of certain consignments and measures to be taken in cases of non-compliance<sup>(a)</sup> is amended as follows.

(2) In Article 1, in both places where it occurs, for “the Union territory” substitute “Great Britain”.

(3) In Article 2—

- (a) in point (a)—
  - (i) after “from the” insert “appropriate computerised”;
  - (ii) omit “(IMSOC)”;
- (b) in point (c), for “the Union” substitute “Great Britain”.

(4) In Article 3—

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(a) EUR 2019/2125.

- (a) for “IMSOC, by way of existing national information systems” substitute “appropriate computerised information system”;
  - (b) for “the Union territory” substitute “Great Britain”;
- (5) In Article 5—
- (a) in paragraph 1—
    - (i) omit point (a);
    - (ii) in point (b), for “IMSOC directly or via existing national information systems” substitute “appropriate computerised information system”;
  - (b) omit paragraph 2.
- (6) In Article 6—
- (a) in paragraph 1, in the second subparagraph—
    - (i) for “the Union” substitute “Great Britain”;
    - (ii) for “Union”, in the second place where it occurs, substitute “GB”;
  - (b) in paragraph 2—
    - (i) for “the Union”, in the first place where it occurs, substitute “Great Britain”;
    - (ii) for “the Union territory” substitute “Great Britain”.
- (7) After Article 7, omit the words from “This Regulation” to “Member States.”.

**Commission Delegated Regulation (EU) 2019/2126 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for specific official controls for certain categories of animals and goods, measures to be taken following the performance of such controls and certain categories of animals and goods exempted from official controls at border control posts**

**28.**—(1) Commission Delegated Regulation (EU) 2019/2126 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for specific official controls for certain categories of animals and goods, measures to be taken following the performance of such controls and certain categories of animals and goods exempted from official controls at border control posts(a) is amended as follows.

- (2) In Article 2—
- (a) for point (1) substitute—
 

“(1) “appropriate computerised information management system” means the computerised information management system for official controls referred to in Article 131 of Regulation (EU) 2017/625;”;
  - (b) after point (3), insert—
    - “(4) “fisheries administration” has the same meaning as in Article 1(9) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy(b);
    - (5) “British fishing vessel” means a fishing vessel registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995(c) for which the entry in the register specifies a port in Great Britain as the port to which the vessel is to be treated as belonging;
    - (6) “designated port” means a port in Great Britain designated by a fisheries administration.”.
- (3) In Article 3(1), for “the Union” substitute “Great Britain from a third country”.

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(a) EUR 2019/2126.  
 (b) EUR 1380/2013.  
 (c) 1995 c. 21.

(4) In Article 4, in both places where it occurs (including the heading), for “Union ports designated by Member States”, substitute “designated ports”.

(5) In Article 5—

- (a) in the heading, for “Union ports designated by Member States”, substitute “designated ports”;
- (b) in the opening words—
  - (i) for “Member States may carry out,” substitute “Official controls may be carried out”;
  - (ii) for “official controls of” substitute “upon”;
  - (iii) for “Union ports designated by Member States” substitute “designated ports”;
- (c) in point (b), for the words from “non-Union goods” to the end substitute “goods in accordance with section 25 of the Customs and Excise Management Act 1979<sup>(a)</sup>”;
- (d) in point (c), for the words from “in accordance with” to the end substitute “in Great Britain”;
- (e) in point (d)—
  - (i) for “designated Union ports” substitute “designated ports”;
  - (ii) for “IMSOC”, substitute “appropriate computerised information management system”.

(6) In Article 6—

- (a) in the heading, for “vessels flying the flag of a Member State” substitute “British fishing vessels”;
- (b) in paragraph 1—
  - (i) for “vessels flying the flag of a Member State” substitute “British fishing vessels”;
  - (ii) for “the Union” substitute “Great Britain” in both places it occurs;
- (c) in paragraph 3, for “the Union” substitute “Great Britain”.

(7) Omit Articles 7 to 9.

(8) After Article 10, insert—

*“Article 10a*

**Derogations and modifications: animals and goods entering Great Britain from a relevant third country**

1. Articles 3 to 6 of this Regulation apply subject to the derogations and modifications specified in Annex 6 to Regulation (EU) 2017/625<sup>(b)</sup> during the transitional staging period, in relation to relevant goods entering Great Britain from a relevant third country.

2. In this Article ‘the transitional staging period’, ‘relevant goods’, and ‘relevant third country’ have the meanings given in Annex 6 to that Regulation.”.

(9) After Article 11, omit the words from “This Regulation” to “Member States.”.

(10) Omit Annex 1.

**Commission Implementing Regulation (EU) 2019/2128 establishing the model official certificate and rules for issuing official certificates for goods which are delivered to vessels leaving the Union and intended for ship supply or consumption by the crew and passengers, or to NATO or a United States military base**

**29.—(1)** Commission Implementing Regulation (EU) 2019/2128 establishing the model official certificate and rules for issuing official certificates for goods which are delivered to vessels

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(a) 1979 c. 2.

(b) EUR 2017/625, as amended prospectively from IP completion day by S.I. 2020/1481.

leaving the Union and intended for ship supply or consumption by the crew and passengers, or to NATO or a United States military base(a) is amended as follows.

(2) For “IMSOC”, in each place where it occurs (including headings to Articles), substitute “the appropriate computerised information management system”.

(3) For Article 1 substitute—

*“Article 1*

**Definitions**

1. In these Regulations, ‘the appropriate authority’ has the meaning given in Article 3(2A) of Regulation (EU) 2017/625 of the European Parliament and of the Council(b).

2. Words and expressions defined in Regulation (EU) 2019/2124 have the same meanings in these Regulations.”.

(4) In Article 2(1)—

(a) in the words before point (a)—

(i) for the words from “set out” to “shall” substitute “to”;

(ii) for “which are delivered” substitute “is the model official certificate published from time to time by the appropriate authority for the constituent territory of Great Britain in where those goods are delivered.”;

(b) in point (a), for “Union territory” substitute “territory of Great Britain to travel to a third country”;

(c) for point (b) substitute—

“(b) from a warehouse located in Great Britain to NATO or United States military bases located in the territory of Great Britain, any of the territories of the Crown Dependencies, or in a third country.”.

(5) In Article 4(1), for the words from “laid down” to the end substitute “referred to in Article 2.”.

(6) In Article 5—

(a) in the heading, for “Notes” substitute “Guidance”;

(b) for the words from “by reference” to the end substitute “in accordance with guidance issued by the appropriate authority from time to time.”.

(7) After Article 6, omit the words from “This Regulation” to “Member States.”.

(8) Omit the Annex.

**Commission Implementing Regulation (EU) 2020/1540 amending Implementing Regulation (EU) 2019/1793 as regards sesamum seeds originating in India**

**30.**—(1) Commission Implementing Regulation (EU) 2020/1540 amending Implementing Regulation (EU) 2019/1793 as regards sesamum seeds originating in India(c) is amended as follows.

(2) After Article 3, omit the words from “This Regulation” to “Member States.”.

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(a) EUR 2019/2128.

(b) EUR 2017/625, as amended prospectively from IP completion day by S.I. 2020/1481.

(c) EUR 2020/1540.

## **Commission Implementing Regulation (EU) 2020/1641 regarding imports of live, chilled, frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods for human consumption from the United States of America**

**31.**—(1) Commission Implementing Regulation (EU) 2020/1641 regarding imports of live, chilled, frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods for human consumption from the United States of America **(a)** is amended as follows.

(2) In Article 1, for “the Union” substitute “Great Britain”.

(3) In Article 3, for the words from “Combined Nomenclature” to “Regulation (EEC) No 2658/87” substitute “commodity codes have been laid down in accordance with the customs tariff, as established under section 8(1) of the Taxation (Cross-border Trade) Act 2018 **(b)**”.

(4) In Article 4—

(a) for “the Union” substitute “Great Britain”;

(b) for “set out in the Annex” substitute “published by the appropriate authority, as amended from time to time”.

(5) After Article 5, omit the words from “This Regulation” to “Member States.”.

(6) Omit the Annex.

## **PART 4**

### **Revocations**

#### **Revocation of retained direct EU legislation**

**32.** The following are revoked—

(a) Commission Regulation (EC) No 1756/2004 specifying the detailed conditions for the evidence required and the criteria for the type and level of the reduction of the plant health checks of certain plants, plant products or other objects listed in Part B of Annex V to Council Directive 2000/29/EC **(c)**;

(b) Commission Implementing Regulation (EU) 2019/723 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the standard model form to be used in the annual reports submitted by Member States **(d)**;

(c) Commission Implementing Decision (EU) 2020/1550 establishing the multiannual programme of controls for the period 2021-2025 to be carried out by Commission experts in the Member States to verify the application of Union agricultural food chain legislation **(e)**.

## **PART 5**

### **Transitional provisions**

#### **General transitional provision relating to model certificates**

**33.**—(1) Subject to the application of regulation 34, where Part 3 of these Regulations amends any provision of legislation which, on or after IP completion day, forms part of retained EU law so as to enable the presentation or other use of a model certificate in the form “published by the

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**(a)** EUR 2020/1641.

**(b)** 2018 c. 22.

**(c)** EUR 1756/2004.

**(d)** EUR 2019/723.

**(e)** EUDN 2020/1550.

appropriate authority from time to time”, that an amendment does not preclude a model certificate in the form set out in the text of that legislation, as it had effect immediately before IP completion day, from being presented or otherwise used on or after IP completion day in connection with a relevant activity instead of the equivalent model certificate published by the appropriate authority.

(2) Paragraph (1) applies until such date as the appropriate authority may by regulations appoint.

(3) In paragraph (1), “relevant activity” means—

- (a) the importation of goods into, or movement of goods through or from, Great Britain;
- (b) the placing on the market or inspection of goods in Great Britain; or
- (c) the slaughter of animals in Great Britain.

### **Transitional arrangements relating to model certificates for animals and products**

**34.**—(1) This regulation applies during the transitional staging period in relation to the entry of animals and products into, or movement within or through, Great Britain.

(2) Where a provision in retained EU legislation—

- (a) confers a function relating to the entry of animals and products into, or movement within or through, Great Britain; and
- (b) provides for the presentation or other use of a published model certificate in connection with the exercise of those functions;

such a provision does not prevent the presentation or other use of a model certificate in the form set out in the text of such legislation, as it had effect immediately before IP completion day, instead of the corresponding published model certificate.

(3) Paragraph (4) applies where—

- (a) immediately before IP completion day, a provision in a Directive—
  - (i) conferred a function relating to the entry of animals or products into, or movement within or through, a member State; and
  - (ii) provided for the presentation or other use of a model certificate in connection with the exercise of that function; and
- (b) on or after IP completion day, either—
  - (i) the function does not form part of retained EU legislation; or
  - (ii) retained EU legislation confers a function relating to the presentation or other use of a corresponding published model certificate.

(4) Where this paragraph applies, a model certificate in the form set out in the Directive referred to in paragraph (3)(a), as it had effect immediately before IP completion day, may continue to be presented or otherwise used in connection with the entry and movement of animals and products into or through Great Britain during the transitional staging period.

(5) In this regulation—

“entry into Great Britain” has the meaning given in Article 3(40) of Regulation (EU) 2017/625(a);

“model certificate” means a model form of health certificate or other document relating to the importation of animals or products, which provides certification or evidence of compliance with public, environmental or animal health and hygiene standards required for the purpose of entry into, or movement within or through, Great Britain or, as the case may be, an EEA state;

“product” means product of animal origin, germinal products, hay and straw, animal by-products and foodstuffs containing both products of plant origin and processed products of animal origin;

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(a) The definition of ‘entry into Great Britain’ in Article 3 of Regulation (EU) 2017/625 was inserted by S.I. 2020/1481.

“products of animal origin”, “germinal products” and “animal by-products” have the meanings given in Article 3 of Regulation (EU) 2017/625;

“published model certificate” means a model certificate in the form published online by an appropriate authority, as amended from time to time;

“a territory subject to special transitional import arrangements” means an EEA state, the Faroe Islands, Greenland or Switzerland;

“third country” has the meaning given in given in Article 3(2D) of Regulation (EU) 2017/625(a);

“the transitional staging period” has the meaning given in Annex 6 to Regulation (EU) 2017/625(b).

### **Definition of appropriate authority**

**35.—**(1) In this Part, “the appropriate authority” means, subject to paragraph (2)—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers;
- (c) in relation to Scotland, the Scottish Ministers.

(2) The appropriate authority is the Secretary of State—

- (a) in relation to any functions exercisable in relation to a matter which is outside devolved competence; or
- (b) in any other case, if consent is given—
  - (i) in the case of functions conferred, or any provision in regulations applying, in relation to Wales, by the Welsh Ministers;
  - (ii) in the case of functions conferred, or any provision in regulations applying, in relation to Scotland, by the Scottish Ministers.

(3) For the purposes of paragraph (1), a provision is “outside devolved competence”—

- (a) in relation to Wales, if it would not be within the legislative competence of Senedd Cymru if it were contained in an Act of Senedd Cymru (assuming, in the case of provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975(c), that such consent were given);
- (b) in relation to Scotland, if it would not be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.

### **Regulations made under this Part**

**36.—**(1) Regulations made by the Secretary of State or the Welsh Ministers under this Part are to be made by statutory instrument.

(2) For regulations made by the Scottish Ministers under this Part, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010(d).

(3) A statutory instrument containing regulations made by the Secretary of State under this Part is subject to annulment in pursuance of a resolution of either House of Parliament.

(4) A statutory instrument containing regulations made by the Welsh Ministers under this Part is subject to annulment in pursuance of a resolution of Senedd Cymru.

(5) Regulations made by the Scottish Ministers under Part are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

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(a) The definition of ‘third country’ in Article 3(2D) of Regulation (EU) 2017/625 was inserted by S.I. 2020/1481.

(b) The definition of ‘the transitional staging period’ in Annex 6 to Regulation (EU) 2017/625 was inserted by S.I. 2020/1481.

(c) 1975 c. 26.

(d) 2010 asp 10.

(6) Regulations made under this Part may make different provision for different purposes.

21st December 2020

*Gardiner of Kimble*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural Affairs

### **EXPLANATORY NOTE**

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

These Regulations are made in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a), (b), (c), (d) and (g)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to and revocations of legislation in the field of official controls and other official activities performed by the authorities to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products. Part 2 amends subordinate UK legislation, Part 3 amends retained direct EU legislation and Part 4 revokes retained direct EU legislation.

Part 5 makes a general transitional provision relating to the presentation or other use of model certificates on or after IP completion day in connection with the importation into, or movement through or from, Great Britain, of goods, or the inspection and placing on the market of goods in Great Britain, or the slaughter of animals in Great Britain. It also provides transitional arrangements for model certificates for animals and related products, including products of animal origin.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

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