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STATUTORY INSTRUMENTS

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**2020 No. 1631**

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

**PART 3**

Amendment of retained direct EU legislation

**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<sup>M1</sup> 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<sup>M2</sup>.”.

(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 ”;
- (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—

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**Changes to legislation:** There are currently no known outstanding effects for the The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020, Section 14. (See end of Document for details)

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*“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 <sup>M3</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.”.

(16) Omit Article 14.

(17) In Article 15 omit the words from “However” to “Member States.”.

**Commencement Information**

**II** Reg. 14 in force at 31.12.2020 on IP completion day, see [reg. 1\(2\)](#)

**Marginal Citations**

**M1** EUR 2019/625.

**M2** [2018 c. 22](#).

**M3** EUR 2017/625, as amended prospectively from IP completion day by [S.I. 2020/1481](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020, Section 14.