EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the statutory instruments listed in the Schedule, consolidating their provisions. The Regulations implement Council Directive 96/22/EC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists, and Council Directive 96/23/EC on measures to monitor certain substances and residues thereof in live animals and animal products, and provide for the execution and enforcement of Regulation (EC) No 470/2009 of the European Parliament and of the Council laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin.

The Regulations—

(a) prohibit the sale, possession or administration to animals of specified unauthorised substances (regulations 3, 4, 5, 6 and 7);

(b) prohibit the possession or slaughter of, or the processing of the meat of, animals intended for human consumption to which there has been administered, which contains, or in which the presence has been established of, specified unauthorised substances (regulation 8);

(c) prohibit the sale or supply, for slaughter for human consumption, of animals to which substances have been administered in certain circumstances including, subject to an exception, where the withdrawal period for the product administered has not expired (regulation 9);

(d) prohibit the sale for human consumption of any animal product derived from an animal the sale or supply for slaughter of which is prohibited under regulation 9 or any animal product which contains an unauthorised substance or an excess of an authorised substance (regulation 10);

(e) prohibit, subject to an exception, the disposal for human or animal consumption of the carcase or offal of an animal or an animal from a batch of animals where that animal or an animal of that batch has been slaughtered further to a notice referred to in regulation 22(3) (examination shows specified unauthorised substance) (regulations 11 and 12);

(f) give authorised officers the power to take samples and provide for the analysis of official samples (regulations 13, 14, 15, 16, 17, 18 and 19);

(g) give authorised officers the power to inspect and examine animals and provide for the subsequent service of notices (regulations 20, 21 and 22);

(h) provide for offences, penalties and enforcement (regulations 23 and 24);

(i) provide specific defences and exceptions (regulations 25, 26, 27, 28 and 29);

(j) deny to processors a due diligence defence in specified circumstances (regulations 30 and 31);

(k) specify requirements relating to the keeping of records (regulation 32);

(l) apply, with some modifications, provisions of the Food Safety Act 1990, including the defence of due diligence (regulation 33); and

(m) revoke the instruments specified in the Schedule (regulation 34).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.