

EXECUTIVE NOTE

THE PRODUCTS OF ANIMAL ORIGIN (THIRD COUNTRY IMPORTS) (SCOTLAND) REGULATIONS 2007 SSI/2007/1

The above instrument was made by the Scottish Ministers in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 and section 56(1) and (2) of the Finance Act 1973. It is subject to negative resolution procedure and will come into force on 1st February 2007.

Policy Objective

The purpose of the Instrument is to consolidate and replace, with changes, The Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2002 (“the current Regulations”), as amended. This will provide for the continuing implementation, in Scotland, of Council Directive 97/78 (“the Directive”) which sets out the principles governing the veterinary checks on imports of products of animal origin (including meat, dairy products and fish) into the Community from third countries.

Background

The current Regulations not only transpose the Directive but also provide that products imported from third countries meet the requirements of Community measures listed in Schedule 1 to those Regulations. There have been changes to those measures listed since the current Regulations were made. Some of these have been given effect to by amendments to the current Regulations. This Instrument takes account of those amendments and other recent changes to Community measures.

Other changes made by this Instrument are:

- amendment to the enforcement provisions in relation to illegally imported products found inland to enable local authority enforcement officers, to hold consignments they suspect of being illegally imported until an authorised officer can take charge of it (regulation 5)
- amendment to enable the approval of a Border Inspection Post, or an inspection centre, to be suspended in part (regulation 13);
- amendment to bring the requirements for pre-notification into line with the requirements of Commission Regulation 136/2004 (regulation 17);
- introduction of regulations 48 and 49 which implement Community provisions relating to movement of products directly from a Border Inspection Post to ships.

Consultation

The Instrument is replacing and updating existing Regulations. Consultation was not considered necessary.

Regulatory Impact Assessment

A Regulatory Impact Assessment (RIA) has not been prepared as the changes introduced by the Instrument do not impose new burdens on industry.

Publicity

Enforcement and trade interests will be advised of the implementation of these new Regulations. A press release is not considered necessary.

Other Government Departments

Similar Regulations have been, and will be, introduced in England, Wales and Northern Ireland.

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