

## POLICY NOTE

### THE ZOOTECHNICAL STANDARDS (SCOTLAND) REGULATIONS 2019

#### SSI 2019/5

The above instrument was made in exercise of the powers conferred by section 2(2), and paragraph 1A of schedule 2, of the European Communities Act 1972. The instrument is subject to *negative resolution procedure*.

**Zootechnical rules seek to facilitate trade in pedigree breeding livestock and germinal products like semen and embryos. This instrument ensures that the system of zootechnical standards set out in Regulation (EU) 2016/1012 are able to function effectively in Scotland.**

#### Policy Objectives

This instrument implements Regulation (EU) 2016/1012 of the European Parliament and of the Council on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals and the germinal products thereof (“the Animal Breeding Regulation”). This legislation applies to purebred equines, cattle, sheep, pigs and goats, hybrid breeding pigs and their germinal products (such as semen and embryos).

The Animal Breeding Regulation establishes EU-wide standards and arrangements for the breeding of ovine, bovine, caprine, porcine and equine species of animals. The Animal Breeding Regulation is directly applicable in the UK, including Scotland and will become part of retained EU law following the withdrawal of the UK from the European Union.

The Animal Breeding Regulation aims to facilitate trade in purebred breeding animals and their germinal products. It repeals separate species-specific legislation and allows Breed Societies to apply to be recognised and have their breeding programmes approved by a Member State’s competent authority if they meet zootechnical standards.

The majority of requirements within the Animal Breeding Regulation reinstate much of the existing approach and recognised Breed Societies already adhere to pre-existing Regulations.

This instrument designates the Scottish Ministers as the competent authority under the Animal Breeding Regulation. It provides that the Animal Breeding Regulation is to be enforced by the competent authority. This instrument also makes certain administrative provision regarding the serving of notices by the competent authorities on operators.

The Animal Breeding Regulation introduces a system of risk-based checks on the activities of recognised Breed Societies to ensure compliance with the rules with proportionate action in cases of non-compliance. These checks aim to ensure, for example, the robustness of systems for recording and storing information recorded on animals’ pedigree and the quality of performance testing if relevant. It should be noted that it is not a requirement for Breed Societies to be officially recognised and on-going compliance with the Regulation will

simply be a requirement of that recognition. There is no requirement for Breed Societies that are already recognised to reapply for recognition.

The Scottish Government expect these checks to place minimal burden on Breed Societies in Scotland and intend these checks to be paper-based on a bi-annual basis. The Animal and Plant Health Agency (APHA) will be responsible for undertaking these checks..

### **Consultation**

A 12-week, UK-wide, public consultation was held between April and July 2018. As part of the consultation process Scottish Government officials also engaged directly with Defra, Welsh Government, Northern Irish and APHA colleagues.

The Scottish Government wrote to all Breed Societies recognised in Scotland and provided copies of the consultation document both electronically and in hard copy. The Scottish Government received no responses from Scottish societies. In addition, the Scottish Government wrote to industry stakeholders including National Farmers Union Scotland, Quality Meat Scotland and the Rare Breed Survival Trust but also received no comments.

The Scottish Government reviewed written submissions from stakeholders who responded to the consultation in other parts of the UK and paid particular attention to bodies who represented Scottish stakeholders under a UK framework, including the National Beef Association, the British Pig Association, the National Sheep Association, and the Rare Breed Survival Trust.

Stakeholders were largely supportive of the zootechnical regime, which, as stated above, remains largely unchanged. Those aspects of the regime which are new, such as the paper-based compliance checks were also cautiously welcomed by respondents.

The Scottish Government continue to engage with stakeholders and Breed Societies on an ongoing basis.

### **Impact Assessments**

An Impact Assessment has not been prepared for this instrument as the zootechnical provisions contained therein remain for the most part largely unchanged. For this reason Defra also chose not to complete an impact assessment when implementing their equivalent domestic legislation in November 2018.

### **Financial Effects**

The Minister for Rural Affairs and the Environment confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government  
Agriculture and Rural Economy Directorate

15 January 2019